Exclusive: **The Real Story Behind the Reagan-Kerr Controversy** **See page 6**

HUMAN EVENTS

YOUR WEEKLY WASHINGTON REPORT

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Supreme Court Kills N.Y. Loyalty Laws

State loses right to fire subversive teachers

By TERRY CATCHPOLE

In a historic, far-reaching decision on January 23 the Supreme Court, by a 5-to-4 vote, nullified a series of New York State laws aimed at barring subversives from administrative and teaching positions in the state's public schools and state-supported colleges.

In an alleged defense of "academic freedom," the court's five-man majority left New York State with no law to prevent Communists or others advocating the overthrow of the U.S. government from teaching in these schools.

One of the laws struck down by the court applies to all public employes of New York State—civil servants, government officials, et al.—a factor which could result in a future court decision exempting all such employes from any loyalty laws. In addition, a number of other states have laws similar to those ruled "unconstitutionally vague" by the court in the New York case and, presumably, each of these will soon be tested in the federal courts and, equally presumably, will also be negated.

For these reasons the court's minority dissent, written by Justice Thomas Clark, spoke of the majority's "blunderbuss" approach to the issue and charged that the "majority has by its broadside swept away one of our most precious rights, the right of self-preservation. Our public educational system is the genius of our democracy. The minds of our youth are developed there and the character of that development will determine the future of our land."

There were three basic New York State laws involved in the court's January 23 decision:

• The first was passed in 1917 and ordered the removal of any public school personnel who uttered treasonable or seditious words or took part in similar acts.

• The second, approved in 1939, barred from public employment (including schools) anyone who actively advocated or taught the desirability of overthrowing the government by force; this provision barred persons who distributed literature or joined organizations advocating such overthrow *when and if* they also personally advised such action.

• The third law, the Feinberg Law of 1949, ordered the New York Board of Regents, the governors of public education in the state, to adopt regulations enforcing the earlier laws; this resulted in the listing of subversive organizations and the preparation of a "loyalty oath."

The court's five-man majority, consisting of Chief Justice Warren and Justices Brennan, Black, Douglas and Fortas, voided these three laws on the basic contention that they were "constitutionally vague," involved "intricate administrative machinery" for their enforcement, and infringed on the mechanics of academic freedom. On the last point, the majority opinion, written and delivered by Justice Brennan, waxed rapturous:

"Our nation is deeply committed to safeguarding academic freedom, which is of transcendent value to all of us and not merely to the teachers concerned. That freedom is therefore a special concern of the 1st Amendment, which does not tolerate laws that cast a pall of orthodoxy over the classroom."

Continuing, the Brennan opinion proclaimed "the nation's future depends upon leaders trained through wide exposure to that robust exchange of ideas which discovers truth 'out of a multitude of tongues [rather] than through any kind of authoritative selection' . . . New York's complicated and intricate scheme [of subversive laws] plainly violates that standard."

What the majority failed to mention was that these laws or the issue before the court in this case did not involve "authoritative selection" of ideas to be presented in schools, or the denial of "the robust exchange of ideas." These laws did not prevent a teacher from describing the effect of yelling "fire" in crowded theatres, or the ideas and principles which may motivate such action. What they did prevent was the teacher actually yelling "fire" in a crowded theatre.

The United States Supreme Court. Standing, from left to right: Associate Justices Byron White, William Brennan, Potter Stewart and Abe Fortas. Seated are Associate Justices Tom Clark, Hugo Black, Chief Justice Earl Warren, William O. Douglas and John Harlan. Clark, Harlan, Stewart and White composed the minority that would have upheld the New York law.

The court majority dwelt long and melodramatically on the evils arising from a law which prohibits public employes from printing, publishing or distributing literature advocating the violent overthrow of the government: "does the teacher who carries a copy of *The Communist Manifesto* on a public street thereby advocate criminal anarchy?" they ask, confident of their redundance. The answer, as the five protectors of youthful minds well know, is no.

But the law does not stop with the above prohibition. As the minority dissent, noting the majority's description of "the horribles" which might arise from the bar on distribution of literature, points out, "the majority fails to state that this action is condemned only *when and if* the teacher also personally advocates, advises, teaches, etc., the necessity or propriety of adopting such doctrine." Also anyone charged under this law is entitled to a full judicial review of his case.

The issue is not the majority's so-called academic freedom, but rather, as the dissent contends, "one of our most precious rights; namely, the right of self-preservation."

"The issue here is a very narrow one," writes Justice Clark, who was joined in dissent by Justices Stewart, Harlan and White. "It is not freedom of speech, freedom of thought, freedom of press, freedom of assembly, or of association, even in the Communist party. It is simply this:

"May the state provide that one who, after a hearing with full judicial review, is found to willfully and deliberately advocate, advise or teach that our gov-

Continued on page 10

You Can Help Defeat Two Dangerous Administration Proposals—If You Take Action Now!

See page 5 for details.

Poverty Does Not Cause Crime

Despite liberal theory, the facts are clear.

Page 8

India Creates Own Famine

Page 13

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YOUR WEEKLY WASHINGTON REPORT

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CONTENTS

Reports of Visitors to Hanoi Used to Brainwash U.S. Pilots—from the Allen-Scott Report.....5
The Real Story Behind the Reagan-Kerr Controversy—By Allan Ryskind.....6
Why Listen to U Thant?—By John Chamberlain.....7
The Deficit Habit—From the Chicago Tribune.....7
Is Poverty the Main Cause of Crime?—By M. Stanton Evans.....8
Changing the Electoral College—By James Jackson Kilpatrick.....11
Is Joanie Phoanie?—By Jim Wright.....11
You Must Abide by the Rules—By Morrie Ryskind.....12
Medicare No Blessing to Citizens of Callaway, Nebraska.....12
Does "Food for Peace" Retard India's Progress?.....13
Some of My Best Friends Are Education Professors—By Dr. Max Rafferty.....14
Eight to Two on ETV—From the Omaha Evening World-Herald.....14
Spotlight on Congress.....15

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● International Publishers, a Communist publishing house in New York, says in a recent promotional sheet that **"Harrison Salisbury's** recent dispatches from North Viet Nam only revealed part of the truth. But his reports have caused another major 'credibility' crisis for President Johnson's Administration. What is not generally known is that Salisbury was accompanied on his trip by Wilfred G. Burchett . . . ." Burchett, International Publishers did not reveal, is an Australian Communist who has decried the American effort in Viet Nam.

● The anti-poverty program in New York City, **HARYOU-ACT**, tried to save the House seat of Rep. Adam Clayton Powell just prior to his suspension recently. "Save Powell" propaganda was mailed out under cover of stationery bearing the mark and postal meter cancellation of the taxpayer-financed HARYOU agency.

● The national Young Republican **Leadership Training School** will be held in Washington, D.C., February 14 to 19. The LTS, now an annual event, is set up to advise Young Republicans on how to maximize grass-roots political activity to win elections. This year's LTS will feature such speakers as Barry Goldwater, John Tower, Ray Bliss, Gerald Ford and Howard Baker. Many well-known politicos will help out in workshops. Joe M. Baker is chairman of this year's LTS, while Alice Hipsley is co-chairman. Program director is Washington attorney Ben Cotten and press contact is Charles McManus.

● Conservative **Richard Ogilvie**, president of the Cook County (Ill.) Board of Commissioners, is thought to have next year's GOP gubernatorial nomination sewn up. Ogilvie, a 1964 Goldwater supporter, has demonstrated amazing political strength in heavily Democratic Chicago. Mayor Richard Daley, Illinois Democratic boss, is considering dumping incumbent Gov. Otto Kerner.

● **Alexander B. Trowbridge,** who has become acting secretary of commerce since the resignation of John T. Connor, is considered a strong supporter of trade with Communist regimes. In a speech to the National Foreign Trade Council Convention on November 2, he rejoiced that the U.S. was now okaying "some types of commodities and technology which we were not approving to any of them a few years ago."

● Rep. Paul Findley (R.-Ill.) declared last week that it was an "important victory for both law and common sense" when the Administration reluctantly abandoned plans to send $29 million worth of **food stuffs to Yugoslavia** under the Food for Peace program. Findley was the author of the tough House amendment that prohibits surplus food shipments to any nation aiding North Viet Nam. "It makes no sense for us to send aid to a country like Yugoslavia that insists on aiding our enemies, stoning our embassies, and demonstrating against our war policy," Findley said.

● The watchdog **General Accounting Office** last week accused the Pentagon of "widespread failure" to comply with a 1962 law designed to bar deliberate overpricing of military contracts awarded without competitive bidding. GAO auditors reviewed 185 major contracts since the law became effective four years ago and discovered that required cost and pricing data had been supplied on only 20 of them. Informed of the GAO report, Rep. F. Edward Hebert (D.-La.), chairman of a House Armed Services subcommittee, accused Defense Secretary Robert McNamara of claiming "phony savings" while evading congressional mandates.

● Conservative politicos are somewhat amazed at presidential hopeful **George Wallace's** recent statement that he couldn't bring himself to vote for any Republican talking about running for President because none was conservative enough. Ex-Gov. Wallace said he couldn't even vote for Ronald Reagan, although Reagan has been consistently fighting big spending (see his inaugural address in last week's **Human Events**) and the liberals—much more so than Wallace who came, hat in hand, to Washington last week to seek federal aid for Alabama. Wallace also said there were plenty of candidates that would satisfy him, "even Bob Jones, who may be liberal. . . ." Democratic Rep. Jones of Alabama chalked up a 23 per cent "conservative" rating in the 89th Congress, according to Americans for Constitutional Action. By contrast, Sen. Thomas Kuchel (R.-Calif.) voted conservatively 52 per cent of the time. Sen. Jacob Javits' average on the ACA scoreboard over the years is 19 per cent; Jones' 15 per cent.

● The first regularly scheduled airline flights between **Moscow and New York** will begin in May, it was disclosed last week in the Soviet capital. The flights, authorized under an East-West cultural exchange pact, will greatly facilitate Soviet-bloc espionage, according to congressional experts. Pan American World Airways and Aeroflot, the Soviet airline, will each fly weekly one plane each way in the winter and two each way in the summer.

● Rep. **Edwin Willis** (D.-La.), chairman of the House Committee on Un-American Activities, says that radical leftists have "launched a crash program to undermine and sabotage U.S. resistance to Communist military aggression in Viet Nam." The campaign will culminate, Willis said, with mass demonstrations during the week of April 8-15. Scheduled for "Viet Nam Week" are student strikes, sit-ins, support of draft dodgers, picketing, distribution to GIs of anti-war literature and the sending of medical supplies to North Viet Nam.

● The Navy version of the controversial **TFX fighter**—the F-111B—has fallen seriously behind in its tests and initial results are "unsatisfactory in many respects," according to the Department of the Navy. The results are especially embarrassing to Defense Secretary Robert McNamara, who overruled experts to give the TFX contract to General Dynamics instead of Boeing.

● Another book has been published to "clear" **Alger Hiss,** who spent time in federal prison after a jury found Hiss guilty of perjury when he denied participating in Soviet espionage activities. Published by Viking Press, the book, "Friendship and Fratricide," was written by Dr. Meyer A. Zeligs, a psychiatrist. After "psychoanalyzing" Hiss from printed material, he decides that Hiss was innocent.

● Portent of things to come at Berkeley? The day after Clark Kerr was sacked as president of the University of California, **Mario Savio,** a leader of the student protesters, was convicted on nuisance charges resulting from a November sit-in at the university campus at Berkeley.

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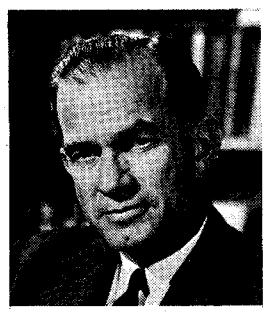
Mundt Stalls Spy Treaty

Sen. Karl Mundt (R.-S.D.), a long-time foe of our "soft-on-Soviet" foreign policy, has become a hero in the eyes of anti-Communists in the Nation's Capitol. But for him, it is now being said, the Johnson Administration, with the aid of appeasement-minded Sen. J. W. Fulbright (D.-Ark.), would have persuaded the Senate to ratify the consular convention.



FULBRIGHT

Signed by the Soviet Union and the United States in Moscow on June 1, 1964, the treaty would permit the Soviets to establish consulates in America's biggest cities. Experts on Soviet tactics say it would increase the chances of Communist espionage and help the Russians to expand trade with Western countries, since many of these consulates would abound with commercial attaches. Four members of the Senate Foreign Relations Committee condemned the treaty in 1965 because it would also provide for "unlimited exemption from criminal jurisdiction for consular personnel."

Despite these objections the Administration has been pressing for its early adoption this year as part of LBJ's effort to "improve" East-West relations.

The chief obstacle to Senate ratification so far has been a March 4, 1965, statement by FBI chief J. Edgar Hoover to a House subcommittee. At that time Hoover warned that any increase in Soviet diplomatic personnel in the United States would undoubtedly increase Soviet espionage activities.

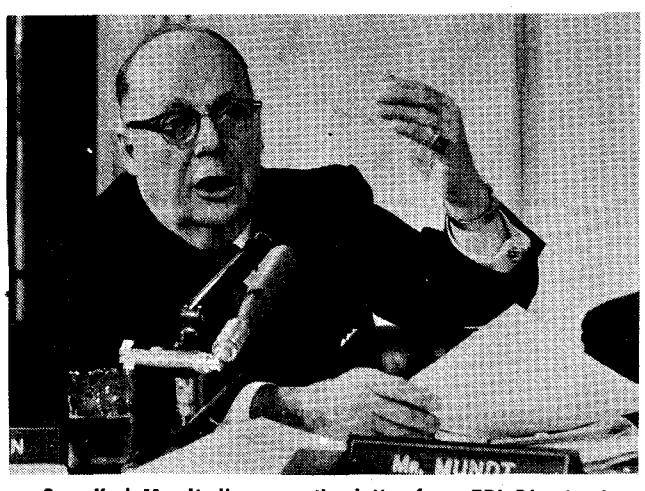
But two weeks ago word was leaked that the State Department would soon be able to "neutralize" this Hoover testimony.

Secretary of State Dean Rusk was due to testify in favor of the convention before the Senate Foreign Relations Committee on Monday, January 23. On the Friday before, the department let loose its "neutralizer": correspondence between Rusk and Hoover in September 1966.

Basically, there was nothing new in the exchange, but Rusk's letter cleverly asked Hoover if he had actually opposed the consular convention in his March 4, 1965 testimony. Hoover, of course, had not. The FBI, as Rusk must have known, does not endorse or oppose legislation and Hoover's reply had to be—as it was—that he had not come out against the treaty.

On Saturday, however, the morning newspapers carried page-one stories about how Hoover had revealed he was not opposed to the consular convention. Indeed, some reports suggested Hoover might even approve of the new treaty. It was at this point that Mundt came into the picture.

Alarmed at the way some press accounts were treating the Rusk-Hoover correspondence, Sen. Mundt wrote to his good friend Hoover. Mundt asked the FBI chief if he had in any way changed his views since March 4, 1965, regarding the dangers of Soviet



Sen. Karl Mundt discusses the letter from FBI Director J. Edgar Hoover at recent Senate Foreign Relations committee hearings.

espionage and whether he thought there had been a cessation of attempts by Communist diplomatic personnel in this country to engage in acts of subversion or attempted espionage.

Finally, Mundt assured Hoover that a careful reading of the letters between Rusk and Hoover did not show that Hoover had changed his views, but that there had been confusion because of "much expanded and inclusive interpretations" placed upon these letters.

The very day Rusk was to testify Mundt received a six-page reply from Hoover. Released by Mundt to the press, the Hoover letter upstaged Rusk's testimony and made it clear the FBI chief believed the establishment of Soviet consulates would indeed expand Communist espionage operations.

Reminding Mundt that the FBI was taking no position on the legislation and that the FBI has "refrained from injecting itself into the area of legislation" since 1924, Hoover declared:

"You specifically inquired whether I had changed my views of whether any evidence had developed to make me change my mind about my testimony of March 4, 1965. The answer is an unequivocal no . . . .

"The simple fact is that the work of the FBI in combatting Soviet-directed espionage activities in this country has increased through the years commensurate with the increase in Soviet representation here. I can also state without equivocation that Communist-bloc diplomatic establishments in this country serve as focal points for intelligence operations.

"You inquired whether, since March 4, 1965, there has been a cessation of attempts by Communist diplomatic personnel in this country to engage in acts of subversion or attempted espionage. The answer again is an unequivocal no.

"You asked whether these efforts by Communist diplomatic personnel still continue. They most certainly do. Representatives of the KGB (Soviet Committee of State Security) and the GRU (Soviet Military Intelligence Service), comprising a large segment of the Soviet diplomatic corps in the United States, are conducting an intensive campaign aimed at the most sensitive data regarding our scientific and technical developments, our military and defense programs and the future plans of our government."

Initially, Sen. Fulbright, chairman of the Foreign Relations Committee, and the Administration had hoped to get a quick vote on the consular treaty, believing that the Rusk-Hoover correspondence and the interpretation placed on it by the press and others would alleviate senators' fears in regard to the establishment of Soviet consulates.

But Hoover's forceful reiteration to Mundt that Communist diplomatic personnel are engaged in extensive espionage and subversive activities has stalled the treaty, temporarily at least. To make sure that it is killed, readers who have not yet done so are advised to write their senators, urging them to oppose ratification.

THIS WEEK'S NEWS from INSIDE WASHINGTON

LBJ-Controlled TV?

Conservative lawmakers are alarmed over a proposal put forth by an LBJ-endorsed study commission which calls upon Congress to set up a federally chartered "Public Television" corporation that would be financed in part by an excise tax on all new TV sets manufactured in this country. The proposal suggested that President Johnson name the first six members of a 12-man board of directors of the corporation, with the concurrence of the Senate, and that these six then appoint the remaining members.

The recommendation was made by the Carnegie Commission on Educational Television in a 112-page report titled, "Public Television: A Program for Action."

The report envisions a network of 380 stations that would be locally owned but nationally integrated and controlled through the corporation. The network would present educational, cultural, entertainment and news programs. The commission, appointed with the approval of LBJ 14 months ago, was headed by James R. Killian Jr., chairman of the Corporation of the Massachussetts Institute of Technology.

Conservatives view this proposal as a first step toward federally controlled television. The study would not be so alarming if it weren't for the fact that President Johnson is considered ready to push for a bill along these lines. The report, furthermore, follows President Johnson's recent State of the Union message in which he said: "We should develop educational television into a vital resource." The President added: "I will propose these measures to the 90th Congress."

MAGNUSON

The proposal has also caught the fancy of some Democratic lawmakers. Sen. Warren Magnuson (D.-Wash.), chairman of the Senate Commerce Committee, said that he hoped "legislation implementing the report will be available for committee hearings in the very near future." The Communications subcommittee would guide any legislation in this area.

Military Muzzling

Pentagon superiors have ousted the highly respected commandant of the Air Force War College after receiving a distorted, second-hand report that he had criticized certain aspects of Administration policy in an official, closed-door seminar.

Less than a year after his selection to head the War College, Maj. Gen. Jerry D. Page was assigned to Okinawa. New York *Times* military editor Hanson Baldwin, who broke the story last week, said the reassignment of Page has badly damaged Air Force morale. Baldwin noted that War College seminars are specificially designed to stimulate discussion and encourage dissent.

"Criticism and analysis, even of present policies, have been encouraged, and speakers were assured their remarks would be restricted to the college," Baldwin wrote. "Officers who commented about Gen. Page's ouster were shocked and disturbed most of all by what they considered to be a violation of this principle."

Gen. Page lost his post for remarks made in a seminar for senior Air Force Reserve officers last December. The seminars are supposed to be classified, with participants told that no notes may be taken and that no remarks by any speaker may be repeated outside the college.

Gen. Page is known to have delivered what Baldwin described as a "balanced [lecture] with mixed praise and criticism of Defense Department policies." In response to a query from a lame duck congressman attending the seminar, Page reportedly indicated that some supply shortages have occurred in Viet Nam.

Pentagon officials generally refuse comment on the case, but Baldwin learned that a participant in the seminar relayed an out-of-context version of Page's remarks to the office of Defense Secretary Robert McNamara. As a result an investigation was launched and Page was ordered reassigned to Okinawa. Air Force Chief of Staff John P. McConnell admits that Page was ousted "because I was unhappy at some of the forums he conducted."

"Muzzling the military" is obviously not a thing of the past.

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Jackson Pushes ABM Defense

Sen. Henry Jackson (D.-Wash.), a member of the Armed Services Committee and the Atomic Energy Committee, has urged the United States to deploy an anti-missile defensive system for the purpose of protecting our offensive missiles. Unless the Soviets agree to suspend the arms race, says Jackson, we should go ahead with constructing our own system.

JACKSON

He estimated the cost at $5 billion over four to five years, with an immediate requirement of about $800,000. The money should be appropriated now, he insisted, but that the United States need not deploy any system if the Soviets would make a sincere effort to reduce their military arsenal.

Jackson agreed that there were weaknesses in any anti-missile defense system, but he said the most important point is whether the Soviet Union believes it can destroy American retaliatory capability. He suggested, therefore, that our offensive missiles be given every sort of protection.

Moscow, he also said, is unlikely to halt its own interest in an anti-missile system.

Jackson's view, it is noted, appears directly contrary to the previously announced views of Defense Secretary Robert McNamara and others who have consistently opposed deployment of a defensive missile system. Congressional observers think that if Jackson pushes for his proposal, he may be able to carry Congress along with him.

'Macbird' Panned

Macbird, the vehement anti-LBJ play by Barbara Garson (see *Human Events,* Dec. 10, 1966) which hints that Johnson had a hand in President Kennedy's murder, is having its troubles in trying to see the light of day as an actual production. After being turned down by a number of off and off-off-Broadway theatres, *Macbird,* which is a big favorite now with the Vietniks, finally was booked into New York's Village Gate (which is usually a beatnik night club) and was scheduled to open on February 8. When the producers attempted to have a "Showcard"—the off-Broadway program—printed for the play, however, Showcard's publisher refused.

"I read the script," publisher Jay Rosenblatt told the *Village Voice.* "I feel this play goes beyond anything that is rationally acceptable. The worst imaginable taste is projected. . . . We have to draw the line somewhere. These people are beyond freedom and into license. It's a disservice—Johnson won't be able to defend himself. I come from a liberal background. But this is beyond liberal—this is corrosive. I would be ashamed to put my program in that place."

YAF Scores Again

The 30,000-member youth group, Young Americans for Freedom, has scored another victory over an American company whose officials had announced plans to increase trade with Communist countries.

William S. Pickett, vice president of American Motors, said in November 1966 that he would travel to the Soviet Union in the spring of 1967 to negotiate a trade deal. A November 26 Associated Press dispatch quoted him as saying, "I am going to Russia and I am going to sell cars there."

Pickett also said AMC was trying to work out almost any kind of agreement with the Soviets, including bartering steel for finished cars. He told the AP, "These are the kinds of deals we are looking for. I think the Communist bloc will more than pay its way."

These statements by the AMC vice president triggered a strong reaction from YAF, whose leaders contended that the Soviets could use automobile equipment to further their aggressive aims in Viet Nam. Why, it was also asked, should the United States be doing business with a country that is supplying the wherewithal to kill American soldiers?

On Jan. 9, 1967, YAF launched a nationwide campaign of picketing local AMC dealerships, though many of the dealers privately sided with YAF's position. AMC officials, YAF was told, had actually been coaxed into promoting trade with Communist nations by the State Department.

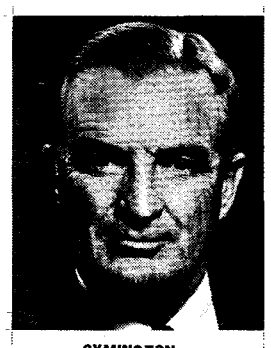
The steady drumfire of local protest from YAF members in many states led AMC to send out letters denying that any trade with the Soviets was contemplated. Pickett's statement, it was now contended, was all due to a "misunderstanding." Pickett himself sent out this letter:

"American Motors has no plans, programs or intentions to trade with Communist-bloc nations. . . . The story of November 26th was a misinterpretation."

This was AMC's diplomatic way of surrendering. No doubt the company had recalled the black eye Firestone Rubber Co. had received in 1965 when it was forced by YAF to cancel the building of an advanced rubber manufacturing factory in Communist Rumania.

Symington on Viet Nam

Sen. Stuart Symington (D.-Mo.), a top military expert and the nation's first Air Force secretary, last week broke his silence and delivered sharp criticism of the arbitrary restrictions placed by Washington on U.S. pilots in Viet Nam.



SYMINGTON

By declaring vital military targets "off limits," Symington said, the Pentagon not only endangers its own fighting men but North Vietnamese civilians as well.

"We kill a good many more civilians in North Viet Nam unintentionally when we bomb such targets as trucks moving along the roads than we do if we attack the meaningful military targets like POL (petroleum installations)."

Symington, who returned recently from Viet Nam, indicated that if the war is to be won, the Pentagon must ease the "unprecedented rigidity" in its restrictions on U.S. bombing missions.

Symington was joined in his criticism by three other members of the Armed Services Committee. Sen. Peter Dominick (R.-Colo.) said that American pilots were unable to fathom the arbitrary restrictions placed on their bombing raids. The GOP solon quoted from the letter of an Air Force officer who was forbidden to hit a surface-to-air missile site while it was under construction in North Viet Nam, but then was instructed to bomb it after it was operable.

Senators James Pearson (R.- Kans.) and Harry Byrd (D.-Va.) echoed the Symington charges.

Sen. John Tower (R.-Tex.) said that American fighting men must be given the go-ahead to win the war. "We could fly fewer missions, endanger fewer missions, endanger fewer pilots' lives, unintentionally injure fewer civilians on the ground and yet mount a much more effective effort if unreasonable restrictions on our airmen were lifted."

LBJ's Swollen Budget

In spite of efforts by President Johnson to say his budget involves only a "modest" increase in domestic spending, analysis of the $135-billion blockbuster that he unloaded on Congress last week shows that it was not an economy budget.

One of the best commentaries on the message came from *Wall Street Journal* reporter Alan Otten, who said the LBJ budget "actually moves the 'Great Society' ahead a good bit farther and faster than most citizens probably expected in the wake of last November's election results and subsequent presidential handwringing."

The budget message rhetoric, said Otten, bows in the direction of the economy bloc and there's always a chance that they could be disarmed. But there's little doubt, he continued, "that increases—small, medium, big—far, far outnumber the cuts in Lyndon Johnson's domestic budget. Even such controversial items as the Teacher Corps and rent subsidies are nearly doubled.

"Many efforts recently begun, such as the ambitious model cities program, are budgeted by the President at or near the high totals allowed by law."

New programs, starting small, are scattered throughout. There's a plan to combat crime, a new five-year effort against air pollution, experimental programs in health care and dental care for slum children, new steps to aid educational television, to help train local public employes in urban problem-solving. "And everywhere," stresses Otten, "there is the promise of larger increases soon to come, as these new programs and other existing slow-to-start activities gather steam."

Johnson also allows for increases in the much-criticized anti-poverty program, including the highly controversial Community Action section. He proposes a $280-million rise in actual spending for the Office of Economic Opportunity; an even larger increase of $447 million in new appropriations which he requests lays the basis for further spending increases in the future.

Larded with many statistical gimmicks, this year's massive "guns and butter" budget will receive greater than usual scrutiny from conservative congressmen in the weeks ahead.

Big Labor Coddled

Opinion among labor experts is that President Johnson's Council of Economic Advisers has completely capitulated to Big Labor's economic demands. In its report to Congress last week, the CEA abandoned its 3.2 per cent wage guideline for labor, saying unions could go after wage settlements at an even higher rate without contributing to inflation.

Although wage increases last year averaged over 4 per cent, formal abandonment of the 3.2 per cent guidelines, it is noted, has been one of Big Labor's insistent demands. Experts now expect unions to push for average increases of approximately 6 per cent.

But not only did the CEA encourage labor to wrench costly contracts from management, the CEA also called on industries to try to absorb wage increases this year without raising prices. This, of course, would mean reduced profit margins.

CBS Shows Soviet Films

The Columbia Broadcasting System is going to celebrate Easter this year by showing films made in foreign countries, including the Soviet Union and Poland. Starting on February 5, seven movies will be presented on successive Sundays from 4 to 5 p.m. and the eighth and last on Easter from 4 to 5:30.

The second program will be "The Blind Bird," a Soviet film about a boy who makes great sacrifices to have sight restored to his pet pilican. Other films will be "The Yellow Slippers," made in Poland and "The Ransom of Red Chief," filmed in the Soviet Union. The money that CBS laid out for the use of the film will benefit both Communist countries.

• *On Friday the 13th of January New York's leftist Vietniks came up with one of their most novel gimmicks yet to protest American participation in the Vietnamese war. At the height of the rush hour, between 5 and 6 p.m., several Vietniks entered New York's Grand Central station armed with cardboard cartons; as thousands of commuters watched in amazement, the boxes were opened on signal and flocks of helium-filled, multi-colored balloons soared to the ceiling, trailing behind them on strings signs with one-word slogans: "WHY, BURNING, DEATH, HATE, DYING, STOP, NAPALM, MURDER," etc. New York's finest were so dumbfounded by the "ballooning" that no arrests were made.*

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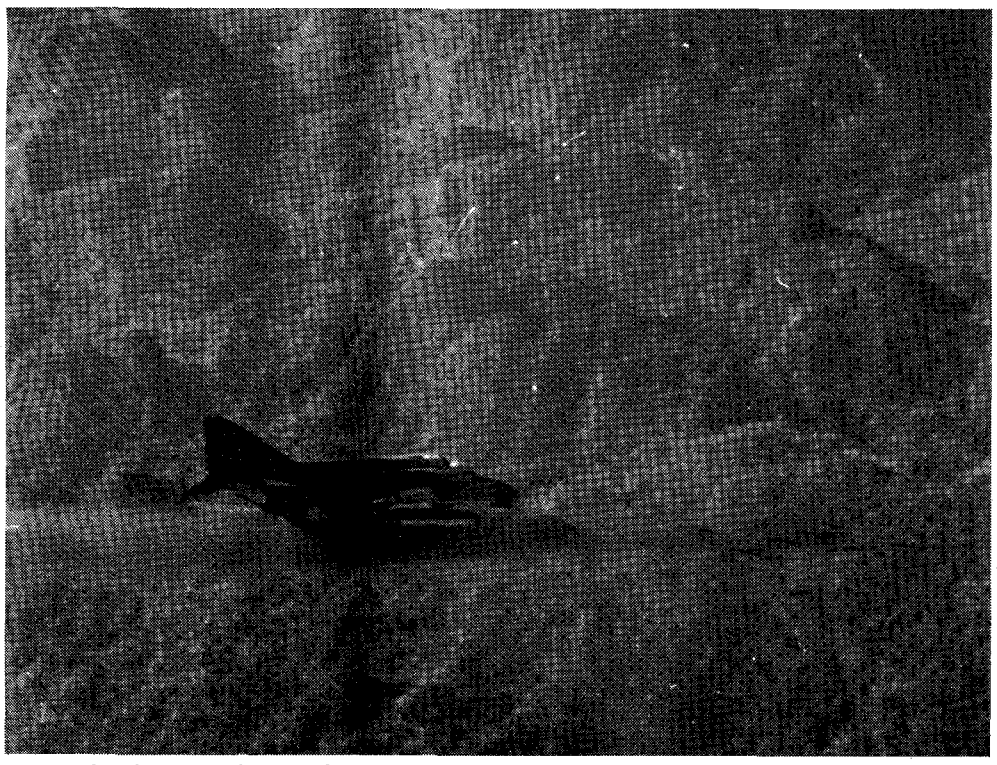

A U.S. Air Force Phantom jet streaks toward a target in North Viet Nam. Captured U.S. airmen are apparently successful in withstanding Communist brainwashing techniques.

But None Has Broken

Reports of Visitors to Hanoi Used to Brainwash U.S. Pilots

From the Allen-Scott Report

Captured U.S. pilots are undergoing an insidious new type of brainwashing.

Published reports about U.S. bombings by American writers permitted to visit North Viet Nam are being used to exert pressure on U.S. prisoners to "confess" that they bombed civilians.

The pilots, none of whom have so far succumbed to the Communists' brainwashing efforts, are being forced to attend daily "lectures" and "educational" sessions to "discuss" the articles and their roles in bombing raids.

In several instances where the American prisoners flatly refused to take part in these "discussions," or were inattentive at "lectures," they were placed in solitary confinement.

Other pilots who denounced the published accounts as Communist propaganda were told they could be tried as "war criminals" if they didn't take a "more enlightened" attitude.

These and other details of the brainwashing operations have been ascertained by intelligence authorities from information smuggled from a prisoner of war camp in the Hanoi area.

These facts, including first-hand accounts of the treatment of captured fliers, make clear that they are conducting themselves with extraordinary courage and fortitude.

Of the more than 50 Air Force and Navy pilots in this compound, some of them prisoners for more than a year, not one has yielded to Communist pressure to "confess" or deliver a propaganda broadcast for Hanoi.

Of the three interviews so far of U.S. fliers on the Hanoi radio, not one of them contained a statement detrimental to their country or criticism of the Viet Nam war.

The captured pilots' resistance to Communist efforts to use them for propaganda purposes apparently is the reason for the use of the U.S. writers' accounts of bombing raids.

Intelligence authorities view that as an insidious attempt by the Reds to undermine the fliers' morale and will power.

Also as part of these brainwashing measures, the Communists are subjecting the U.S. prisoners to newsreels of anti-Viet Nam demonstrations in U.S. cities and on college campuses.

Still another aspect of this persistent pressuring is lectures by Soviet bloc "correspondents" in Hanoi. Invariably, the theme of their propaganda line is the "hopelessness of the U.S. effort to win in Viet Nam," coupled with broad intimations that the United States has "abandoned" the pilots and is doing nothing to secure their liberation.

On the world stage Hanoi is intensifying its propaganda activities.

Latest maneuver is the production of a number of so-called documentary films, all designed to excoriate U.S. bombing in North Viet Nam. These propaganda films are being supplied free to any group that will display them.

One of these films, broadcast January 7 on the United Arab Republic-controlled television network, made much of the reports by American writers of the alleged bombing of civilians in North Viet Nam.

The Nasser government, which has received hundreds of millions of dollars worth of surplus food from the United States, flatly refused to use material offered by the U.S. Embassy in Cairo regarding this country's policy in Viet Nam. The material consisted of statements by President Johnson and other leading U.S. authorities.

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☐ ☐ ☐

"ROMNEY ASSOCIATES"—The mysterious office set up in Lansing, Mich., to co-ordinate Gov. George Romney's "hard look" at the 1968 GOP presidential race has been brought into the open as "Romney Associates." Until now, the new office has been operating behind unmarked doors and with unlisted telephones. Robert J. McIntosh, a close Romney adviser, will head up the new agency—at least temporarily.

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Behind the Berkeley Controversy—Why Kerr Was Fired

By ALLAN H. RYSKIND

Did Ronald Reagan, long the movie good guy, act the "heavy" in the Kerr affair? Across the country liberals have been in a state of apoplexy since California's new governor joined 13 other members of the Board of Regents to oust Dr. Clark Kerr from his $45,000-a-year post as president of California's nine-university state system.

Not since the days when Joe McCarthy "picked on" Owen Lattimore & Co. have the liberals been able to find themselves a real, live "martyr" sacrificed on their altar of "academic freedom." True, Adam Yarmolinsky and Abba Schwartz, both eased out of government positions, starred as semi-martyrs for a brief but torrid spell, but somehow they couldn't quite make the grade like educator Kerr.

With unimpeachable academic credentials, a touch of piousness and a conservative Republican governor for an enemy, Kerr has become a natural cause celebre **for the liberal community.**

"The long and astute build-up of Gov. Ronald Reagan as a moderate has collapsed . . . " wailed columnist Doris Fleeson. " . . . [I]t is a disaster that we have lost [Kerr]," cried ADA's chairman, Rep. Don Edwards, as if speaking of one who had passed to his Heavenly Reward. New York *Times* education editor Fred M. Hechinger wept openly in the public prints. The Ripon Society, self-anointed spokesman for "moderate" Republicanism, scored Kerr's "precipitous dismissal" and clearly placed the blame on Reagan.

Ex-Gov. Pat Brown, calling the firing a "tragedy," voiced most succinctly the basic fear that was in every liberal mind: "The reactionaries of the state of California are really taking over."

Cartoonist Herblock, of course, felt impelled to lampoon Reagan and even William S. White, who occasionally strikes a note of sanity in his columns, tut-tutted that Reagan's action made him a "back-slid, ultra-conservative"—whatever that conjures up in the public mind.

'Push Reagan to the Wall'

Not to be outdone, the academic community queued up at the Wailing Wall. Harvard President Nathan Pusey wrung his hands in horror as did the invariably liberal American Association of University Professors. Roger Heyns, chancellor of the university campus at Berkeley, joined in and the Berkeley faculty and students welcomed a chance for more demonstrations.

But it took Bettina Aptheker, an avowed Communist who has led many of the student protests at Berkeley, to say what many liberals felt but were just too timid to actually declare:

"We have to push Reagan right back to the wall," she announced. "If we have to, we will push him right through the wall."

In spite of all the stirring attempts to arouse sympathy for Kerr, most Californians found it difficult to rally to the cause. For one thing, Kerr's dismissal hardly means he has to go on the public dole. Immediately following his ouster, in fact, it was announced he had been hired on a part-time basis by the Carnegie Foundation for the Advancement of Teaching, and there were reports of other plush job offerings. Hardly the setting for a genuine martyr.

More important, Kerr, not Reagan, had apparently precipitated the crisis. Kerr had declared he was a victim of politics, but it was Kerr, not Reagan, who was politicking.

There was no question that Reagan wanted to ease Kerr out of his job because of his opposition to the new governor's desire to cut state spending on education and crack down on the Berkeley radicals. But Reagan had no intention of instigating Kerr's dismissal at the January 20 meeting with the Board of Regents. Indeed, he had not yet sounded out the Regents on what to do about Kerr.

It was Kerr, Reagan charged, who had actually forced the crisis by demanding a vote of confidence. The ousted president branded Reagan's story as "false," but others with a greater reputation for integrity contradicted the president.

Kerr Forces Dismissal

Mrs. Randolph Hearst, a Regent and wife of the newspaper magnate, said "Kerr delivered an ultimatum to the Regents to the effect that they must either give him a vote of confidence or release him from the office of president . . . . This action was initiated in no way by the Regents."

Theodore R. Meyer, chairman of the Board of Regents, issued the following statement on January 24 to clarify matters:

"Dr. Kerr's status has been the subject of discussions and speculation for several years. His relations with the Regents were adversely affected by his handling of the Berkeley campus disorders in the fall of 1964. They deteriorated further as a result of his actions the following spring in announcing his intended resignation to the press without prior consultation with, or notice to, any of the Regents. Some subsequent events did not improve the relationship. . . .

"A few minutes before the convening of last Friday's [January 20] Regents' meeting, Mrs. Dorothy Chandler, board vice chairman, and I met with Dr. Kerr at his request. He told us that he could not carry on effectively under existing conditions and that if the question of his continuing in office was likely to come up at any board meeting in the near future, he thought the Regents should face up to it and decide it now, one way or the other.

"We expressed our doubts as to what action the board would take and our concern as to the consequences and asked him whether he would be willing to tender his resignation. He said he would not do so and that it was the board's responsibility to make the decision.

"About noon on Friday, I suggested an executive session of the board with only Regents present. Dr. Kerr left the meeting, having previously told me that he would prefer to do this if he was to be the subject of discussion. I asked the Regents whether they wished to discuss Dr. Kerr at that time and Mrs. Chandler and I informed the board of our conversation with him before the meeting, including his statement that he would not resign. The board had discussed the matter for approximately two hours, concluding by a vote of 14 to 8 to terminate Dr. Kerr's services as president.

"A number of Regents who voted with the majority expressed regret that the parting had to come in this way. At the board's direction, Mr. Chandler and I then met with Dr. Kerr, informing him of the board's actions and told him of the board's hope that before it was made public he would reconsider his refusal to resign. He said that he would not do so and that the board must take responsibility.

"Mrs. Chandler and I then returned to the Regents' meeting and told the board of Dr. Kerr's position. The Chancellors and other university officials were called in and informed and an announcement was made to the press. Under these circumstances, the question of whether Dr. Kerr requested a 'vote of confidence' or a 'clarification of his status' appears to be more a question of semantics than one of circumstances."

Meyer's statement left little question as to who really forced the issue. As one Reagan confidant stated to *Human Events:* "That Dr. Kerr is a cute little so-and-so, but there's no question that he lied to the press."

Indeed, some politicos suggest that Kerr relished the prospect of a vote at the board meeting, thinking he could defeat any anti-Kerr sentiment.

As Dan Beebe of the Oroville (Calif.) *Mercury* put it: "[Kerr] had reason to think he would win such a vote. He knew that one man unalterably opposed to him would not be present. That was Max Rafferty." He also knew that there were 10 Brown appointees on the board and that Reagan had not yet made any behind-the-scenes drive to eliminate him.

But Kerr's strategy backfired. Not only did Reagan and his lieutenant governor, Robert Finch, oppose Kerr, but so did five Brown appointees. Far from being a Reagan maneuver, the actual motion to dismiss Kerr came from a Brown appointee, Laurence Kennedy, a Redding, Calif., attorney who was put on the Board of Regents in March 1964.

Mrs. Dorothy Chandler, who voted to oust Kerr, has often been praised by the liberals as one of their own. Mrs. Randolph Hearst also opposed Kerr, yet the Hearst chain had editorially endorsed Brown over Reagan in the 1966 gubernatorial campaign.

Thus the move to oust Kerr was hardly the Reagan-managed *Putsch* or the "rightist" triumph the press has so grandly tried to make it into. Nevertheless, the governor's election victory in November and his firm personal stand against Kerr's conduct did give the board members the courage to follow through with the firing.

In truth, of course, Dr. Kerr should have been sacked long ago. He has been a miserable administrator of the state's colleges and universities. A good administrator would seek ways to trim spending and hold down taxes. Yet when Gov. Reagan had requested the university system to slash its swollen budget and institute $400 tuition payments by the students, Kerr reacted like a typical bureaucrat and tried to sabotage the plan.

He and his supporters even suggested that students couldn't afford any hike in the payments. Reagan, however, countered this objection by pointing out that he was also proposing a system of scholarships to take care of the small number of qualified students whose families could not come up with $400 tuition for a year of college education. No eligible student, he declared, would be denied admission because of poverty.

(The governor was supported in his tuition plan by three professors of economics at the University of California at Los Angeles. Professors Armen A. Alchian, Jack Hirshleifer and Rolan D. McKean contended that the tuition hike was justified.

Berkeley Chaos

Kerr had also made a mess of the Berkeley campus. Rep. Arthur Younger, whose district borders on San Francisco and the Berkeley area, remarked: "The University of California has become a synonym for an undisciplined faculty and student body.

"Riots, strikes, sit-ins and demonstrations have been the order of the day for several years on the campus, and the taxpayers have waited in vain for Dr. Kerr to speak out against such riotous actions—and take constructive, positive actions as was done at Stanford, the University of Maryland and many other colleges and universities."

The Senate Fact-finding Subcommittee on Un-American Activities in California—headed by Democrat Hugh Burns—scored Kerr's handling of the situation at Berkeley in its 1965 report. He has had a history, the report suggested, of tolerating radicals and Communists.

Born in Reading, Pa., May 17, 1911, Kerr was a teaching assistant at Berkeley from 1937 to 1939. He worked in a number of wartime agencies; taught at the University of Washington in Seattle, then returned to Berkeley where he taught until 1952. He became chancellor of the Berkeley institution in July of that year and was made president of the entire state college system in July 1958.

Soft on Radicals

Recalling his associates during the '30s and '40s, the California Senate subcommittee stated:

"We make no implication that there was any guilt by association, but we do make clear that many of Kerr's most intimate colleagues during these years were at the same time teaching at the Communist school [Communist School of San Francisco] and participated in a wide variety of pro-Communist activities. Some of them came to work at the Berkeley campus after Kerr became its chancellor, and some found places with the Institute of Industrial Relations, which he headed.

"We are fully aware that some readers will criticize us for what they consider to be Red-baiting and witch-hunting, and implying all sorts of dark motives by bringing this background into the open—but it is, we believe, an indispensable part of this report, and had a direct and pertinent bearing on the innovations that characterized Kerr's administration, both as chancellor at Berkeley and later as president of the university.

"The tolerance of the radical student groups, the opening of the campus to Communist officials, the reluctance to curb the activities of the most brash and defiant student rebels, and the obvious distaste for the adequate security precautions speak for themselves."

Continued on page 10

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U.N. Secretary General U Thant pretends to be the voice of Asia on events in Viet Nam, but he ignores the positions of the countries most concerned.

Why Listen to U Thant?

U.N. Secretary General speaks for only a minority of Asians

By JOHN CHAMBERLAIN

We are at the mercy of minorities. A minority of university professors listens when U Thant, the secretary-general of the United Nations, says that South Viet Nam is not strategically vital to Western interests and security. This minority forthwith addresses itself to Lyndon Johnson in an effort to stop the bombing of North Viet Nam. Between them, U Thant and the professors capture the headlines.

But U Thant, in pretending to speak as an "impartial" ambassador, was actually representing a minority of the East Asian countries whose futures are bound up with the outcome of the Vietnamese war.

Three days after U Thant had told a press conference at the United Nations that he did not believe the fall of the present South Vietnamese government would result in the communization of Laos and Thailand, seven Asian ambassadors stepped in to contradict him.

The ambassadors represented Japan, South Korea, Nationalist China, the Philippines, Thailand, Laos and South Viet Nam. Six of the ambassadors faced U Thant directly, asking for "elucidation" of his views and conveying to him their concern over his comparison of South Viet Nam with Yugoslavia, which does not have a common border with a strong Communist power. The seventh ambassador, the one from South Viet Nam, did not attend the meeting, but nevertheless made his feelings known. And two other East Asian states, Singapore and Malaysia, were obviously content to see seven of their brother countries disputing U Thant.

The importance of the East Asian confrontation with U Thant is that it owed nothing to any prompting from Washington, D.C. Indeed, the U.S. ambassador to the U.N., Arthur Goldberg, speaking for Lyndon Johnson, is perfectly content to give U Thant all the rope he wants. The East Asian ambassadors, representing close to 300 million people, took their case to U Thant quite on their own.

What has happened in East Asia is a revolt of both the anti-Communist and non-Communist nations against pro-Red diplomatic favoritism.

This revolt dates back to June 1966, when nine countries, Japan, South Korea, Nationalist China, Thailand, South Viet Nam, the Philippines, Malaysia, Australia and New Zealand, met in Seoul to form ASPAC (Asian and Pacific Council). Laos was admitted to the ASPAC organization as an "observer."

It is perfectly true that Japan and Malaysia prefer to have ASPAC couch its representations in generally conciliatory terms. But U Thant's "conciliation," which might result in turning South Viet Nam over to the Viet Cong (he doesn't regard the Communists' National Liberation Front as a "stooge" for North Viet Nam), is apparently too much for either the Japanese or the Malaysians to swallow.

The objections of a majority of the East Asian nations to U Thant's type of "universalism" have not caught up propagandistically with the original U Thant rejection of the so-called domino theory. Nevertheless, it must be apparent to all thoughtful people that U Thant has only North Korea, Cambodia and his native Burma on his side, among the East Asian nations that lean to Ho Chi Minh and Mao Tse-tung. Indonesia, significantly, remains ostentatiously on the fence. As for India and the Arab League, they do not qualify as East Asian governments.

U Thant has complained that the news of his confrontation with the East Asian ambassadors was "distorted." But this columnist has talked with the chief instigator of the confrontation, and he says there was no distortion.

The great majority of the East Asians just don't admit that U Thant speaks for them, and that's that. The United Nations are not united when it comes to presenting terms for the cessation of hostilities in Southeast Asia.

How to get this point across propagandistically to the American intellectual community is a poser. When 400 Yale professors sign a pro-U Thant statement without bothering to listen to the seven ASPAC nations, it means that we have a community of learned men who aren't willing to wait until the evidence is in. The 400 professors, of course, represent less than one-fourth of the Yale faculty. But nobody bothers to organize the silent majority. So we are led by the nose by a minority speaking for a minority. It's a ridiculous situation—or it would be ridiculous if it weren't tragic.

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The Deficit Habit

From the Chicago *Tribune*

It has been 36 years since President Hoover ran a deficit in the 1931 budget and Franklin D. Roosevelt launched his campaign to "throw the spenders out" and to balance the budget. As things worked out, Mr. Roosevelt never came close to balancing the budget, and the New Deal ushered in a 36-year spending spree (38 years, including this year and next) during which there have been only six balanced budgets.

Mr. Truman balanced the budget three times, thanks to the retention of high wartime taxes after the war.

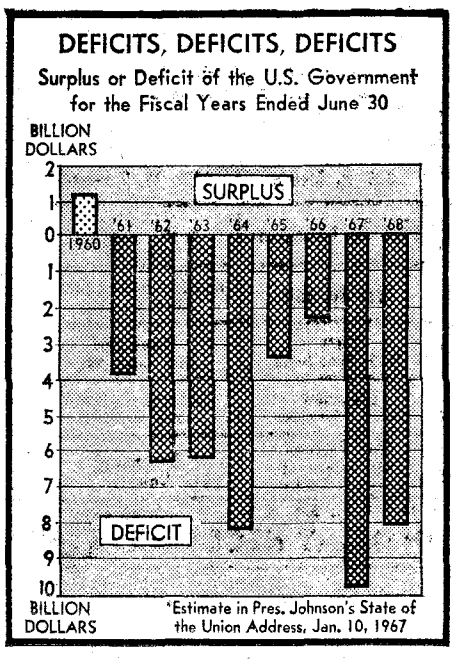
Gen. Eisenhower took office in 1953 saying that "the first order of business is the elimination of the annual deficit" and that "this cannot be achieved merely by exhortation." Unfortunately Mr. Eisenhower confined himself largely to exhortation. The eight Eisenhower years produced five deficits, one of which (1959) established a peacetime record which has not been matched since.

Mr. Kennedy made it "very clear" in his campaign that "we are committed to a balanced budget. . . over the period of the cycle, unless there is a serious recession or a major national emergency." There was neither; indeed, the Kennedy years were among the most prosperous the country has known. Yet he failed to balance the budget once.

He turned the projected Eisenhower surplus for 1962 into a $6.4-billion deficit. For 1963, he said, "it is my intention to propose a balanced budget"—and he did so. But the year ended up with a $6.2-billion deficit.

Mr. Kennedy gave up the struggle on the last budget he drew up, that for 1964, and promised only "to hold domestic outlays at present levels." Even in that he failed. Domestic outlays rose $2.5 billion during 1964, or about 10 per cent, and this doesn't include the increases in interest on the national debt and in veterans' benefits.

President Johnson has never seriously tried to balance the budget and has asserted with each projected deficit that it is designed to promote "national strength, economic progress and human compassion."



The years 1964 through 1968 will, if the forthcoming deficits are no greater than predicted, show an accumulated deficit of $31.6 billion. The Administration blames it on the Viet Nam war, but this doesn't explain why domestic non-defense spending for 1967 is expected to be $6.5 billion higher than in 1964.

Administrations continue to pay lip service to a balanced budget even as they defend their deficits, and last fall the unhappy task devolved upon Under Secretary of the Treasury Joseph W. Barr to say that the Administration would present a balanced budget for 1968. Poor Mr. Barr. But there is so much red ink all over Washington that we can hardly see his face.

Deficits have become a habit which is lamented, for the record, but which successive administrations seem to have lost the ability or the determination to correct.

□ □ □

BOBBY'S FENCE MENDING—Sen. Robert Kennedy (D.-N.Y.) is inundating southern California with form letters defending his rude treatment of Los Angeles Mayor Sam Yorty in Senate hearings last August. A San Fernando Valley housewife received four identical form letters, one of which was addressed to her as "occupant."

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Is Poverty the Main Cause of Crime?

The fashionable answer today is yes. But what are the facts?

By M. STANTON EVANS

To the surprise of virtually no one, President Johnson's heralded crime investigators have come up with the conclusion that America's spiraling crime wave is caused by poverty.

According to the President's Commission on Crime in the District of Columbia, the "roots of crime" are low incomes, bad schools, unemployment and other hallmarks of the underprivileged. The commission's report urges that crime be attacked by assistance to the unemployed, public housing, urban renewal, loosening up of welfare restrictions and deployment of augmented "poverty" programs.

Same Old Story

Advance reports have it that a still more comprehensive study of the crime problem to be published by the President's national Crime Commission a few weeks hence will pursue the same line of reasoning with equal enthusiasm.

The Administration's war on crime has thus emerged with the same dog-eared formula we have been hearing for 30 years and more. It is a formula which has achieved a durable purchase on much academic and official thought in America, but has not achieved corresponding success in the elimination of crime and violence.

The truth is that poverty as such does not cause crime, and welfarism does not cure it. If the suggestions of the President's crime-fighters are acted on, we may very well end up with more crime rather than less.

There are of course many cases in which crime arises from impoverished circumstances and may offer a provocation or excuse for criminal behavior. But the evidence is overwhelming that poverty does not *cause* crime, and that elimination of poverty does not prevent it. Indeed, the available data suggest the true relationship between crime and material conditions may be exactly the other way around.

The most obvious indication we have that crime is not a function of poverty and will not yield to liberal anti-poverty efforts is our own day-to-day experience. We are living in the most prosperous society on earth. Fewer people are poor in America in 1967 than in any previous time and place known to history. Yet we are simultaneously beset by a mounting crime wave which alarms even the liberals themselves.

Less Crime in the '30s

Perhaps the most striking measure of the "poverty" fallacy is the fact that there was so much less crime in America during the Depression than there is today. If the "poverty" argument is correct, the 1930s should have been marked by much more crime per capita than the 1960s. Just the reverse is in fact the case.

Judge David Pine, in his dissent to the Crime Commission's report (see *Human Events*, Jan. 21, 1967, page 14), notes: " . . . during the dark days of the Great Depression in the early 1930s there existed all over the land abject poverty, distress and misery, but I do not recall at that time that there was a vast upsurge in crime. . . . From 1931 to 1935, while the nation's population grew by better than three million persons, the number of robberies and auto thefts decreased 35.2 per cent, burglaries decreased 8.9 per cent, and aggravated assault and larceny remained relatively constant."

Things were hardly better at the end of the '30s. Wages were low and unemployment was high.* Yet there was considerably less crime in America than there is today. In 1938 Atty. Gen. Homer S. Cummings announced that the preceding year had seen "nearly 1.5 million crimes committed"—a number he felt, quite properly, to be enormous. The population of the United States was then 130,320,000 people. In 1964 no less than 2,729,659 major crimes were committed—an increase of better than 1.2 million. The population was then 191,372,000. Crime in the United States between Depression year 1938 and boom year 1964 had increased by 80 per cent; population had increased by only about 47 per cent.

If those long-term comparisons do not support the "poverty" school of criminology, neither do more recent data. The American economy in the years succeeding the 1958 recession enjoyed

Mr. Evans, a former managing editor of Human Events, has been editor of the Indianapolis News since 1959. He has adapted this article from material for his forthcoming book, The Law-Breakers, to be published by Arlington House.

a sustained burst of prosperity—and of crime. From 1958-1964, the Gross National Product increased from $444 billion to $622 billion. But during this same period crime increased by almost 60 per cent.

Nor has augmented welfarism done much to halt the crime explosion. In 1939 total government spending on welfare projects amounted to $9.58 billion; in 1958 it had risen to around $35 billion; and in the six years succeeding it increased another 100 per cent to more than $71 billion. Welfare spending shot upward, and crime moved right along with it.

Principal support for the poverty thesis is the fact that a large percentage of urban crime is found in the slums and ethnic ghettoes. Analysis of governmental efforts to cure slum conditions or to upgrade the status of the minorities, however, fails to support the poverty argument. Repeated efforts to eliminate slums through public housing projects and various forms of subsidy have been accompanied by increasing rather than decreasing crime rates.

The problem of minorities has proved even more refractory, in some instances showing oppressed groups with very low crime rates, in others showing over-all economic increases accompanied by continuing high crime rates. Some "ghettoes," indeed, are *more* law-abiding than the surrounding middle-class society. Researchers have found that both Chinese and Jewish enclaves in our major cities have crime rates lower than the average for society. In San Francisco lawlessness in Chinatown was found to be less than half that for the community as a whole. Sociologist Lowell Carr notes that Jewish groups often show a lower delinquency rate "than white, native-born Protestants of the same economic level."

Scholars' Findings

Bernhard Lander, in *Towards an Understanding of Delinquency,* studies juvenile delinquency patterns in Baltimore and concludes: "The delinquency rate in a stable community will be low in spite of bad housing, poverty and propinquity to the city center."

Similar results were discovered by the *National Observer* in a survey of crime prevention in Johnstown, Pa. This mining and manufacturing community has, in recent years, occupied two unusual and seemingly contradictory positions in American social life: At one point, in 1962, it had the highest unemployment rate of any metropolitan area in the nation—16.6 per cent. Yet in 1965 this same community, still suffering from its economic problems, also enjoyed the nation's lowest crime rate—only 328 major crimes per 100,000 of population.

The *Observer* report notes that "the economic position of the Negro in Johnstown is not much improved over other communities. . . . Housing for Negroes also is no good. But this factor, so often believed to be critical in other cities as a provocation for antisocial behavior, is less prominent in Johnstown." Negro crime in the community is not, the report concludes, disproportionate.

Judge David Pine feels the courts are forgetting about the rights of victims of serious crimes.

Results like these are in keeping with the findings of dispassionate scholars dating from 19th Century French sociologist Emile Durkheim forward. In his classic study of suicide, Durkheim emphasized that this manifestation of social disorder is not a function of poverty, but often the reverse. "So far is the increase in poverty from causing the increase in suicide," he says, that even "fortunate crises" are accompanied by the rise of self-inflicted deaths. In some instances "poverty protects against suicide. . . ."

Erich Fromm reaches similar conclusions in tallying up statistics on suicide, homicide and alcoholism in the Western democracies. "We find," Fromm says, " . . . that the countries in Europe which are among the most democratic, peaceful and prosperous, and the United States, the most prosperous country in the world, show the most severe symptoms of mental disturbance.

"The aim of the whole socio-economic development of the Western world is that of the materially comfortable life, relatively equal distribution of wealth, stable democracy and peace, and the very countries which have come closest to this aim show the most severe signs of mental unbalance."

Conversely, Ernest van den Haag notes, "the countries with the lowest living standards usually have very low suicide and homicide rates."

What has become increasingly true in the United States has long been accepted as true in other countries of the world. Roul Tunley, in *Kids, Crime, and Chaos,* says: "Progress, I found, was recognized as a major factor in delinquency in almost every country I visited. . . ." He quotes a government official in India as saying relative poverty and backwardness are deterrents to juvenile crime and relays the comment of a British authority on delinquency who says: "Twenty years ago people in Great Britain said that if you could do away with poverty and slums, it would help do away with delinquency. But we've done away with lots of poverty and we've improved housing, and it's worse than ever."

Prosperity and Delinquency

A 1960 United Nations report similarly concluded that

> "The existing data suggest that the improvement of living conditions—what is called a better standard of living—does not necessarily . . . reduce juvenile delinquency. . . . Although statistical data are incomplete, it would seem . . . that juvenile delinquency is not caused by poverty or poor economic conditions alone."

So apparent is the non-correlation between poverty and crime that Mrs. Katherine B. Cettinger of the Children's Bureau has remarked that juvenile delinquency is "more likely to increase in a time of prosperity than in a time of depression."

And the Children's Bureau comments that "providing additional recreation facilities in an area usually does not bring about significant changes in the volume of juvenile delinquency." Studies by Eleanor and Sheldon Glueck of children who had received no outside assistance, as against those who had the benefit of "clinical treatment, friendly supervision, recreational activities, neighborhood meetings, health examinations, counseling and so on" like-

*In 1939 the Gross National Product was $91.1 billion, and average per capita income $695. By 1964 these figures had risen to an estimated $622 billion and $2,449, respectively. Unemployment in 1940, the last calculation before World War II pulled the economy out of the doldrums, was a whopping 14.6 per cent compared to 5.2 per cent in 1964.

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wise disclosed that such assistance "seemed to make little difference in their delinquency rate compared with those children who didn't get treatment."

Crime in America has in fact followed affluence. People who as recently as a decade ago were in lower-income brackets have been absorbed into the middle class and have moved steadily into the suburbs. They have more money to spend on themselves and on their children and increasingly find the amenities of middle-class life available to them. By the logic of the poverty argument, these suburbanites ought not to be afflicted by rising crime rates or juvenile delinquency. Yet it is precisely these suburbs, precisely these children, who are a main source of increasing crime.

Middle-Class Delinquents

So plain has all this become that James W. Symington, executive director of President Johnson's committee on juvenile delinquency and youth crime, at one recent gathering attacked "the myth that poverty causes most juvenile delinquents." Symington observed that "present figures show that children of the middle class comprise the majority of juvenile offenders." Today's young people are the most affluent generation of teen-agers known to history. They spend so much money on so many products that manufacturers look to them as style-setters and fashion whole industries to their whims. By 1971 it is estimated there will be 27 million U.S. teen-agers disposing of an aggregate $21 billion a year in consumer goods purchases.

It is among these well-to-do teen-agers that the juvenile crime problem has gotten so clearly out of hand. Car thefts, wild parties, vandalism and dope addiction are nowadays a common scandal in the "very best" communities of the United States, including Westchester County, N.Y., the Philadelphia Main Line, etc. Most people around the United States today can testify, either from personal experience or from newspaper accounts, to similar developments in one category or another in the prosperous suburbs in their own home communities.

Harrison Salisbury of the New York *Times*, himself a celebrated liberal, lists instance after instance of middle-class, suburban delinquency, concluding that "split-level delinquency in the quiet suburban communities is just as deadly a menace to the younger generation as are the festering conflicts of the housing projects and old slums."

The nation has repeatedly been stunned by lurid stories involving young people from well-to-do families. Some months ago the scion of a wealthy Philadelphia family was apprehended in the death of a young girl who had been using narcotics. In Tucson, Ariz., the death of three young girls led to the discovery of a teen-age vice ring involving children from prosperous families. In one plush Eastern suburb, a young debutante was killed in an automobile accident after a drinking spree.

One survey of the crime problem among young people notes that "in one state—Connecticut—low-income families, which once produced 60 per cent of the narcotics violators, now account for only 28 per cent."

That some crimes are economically motivated is well known. But crime of this sort is supposed to go *down* in times of prosperity, up in times of need. Rising crime in a period of prosperity obviously cannot be accounted for by

At the height of the Depression, this long line of men formed to apply for ditch-digging jobs for the city of Newark, N.J. The jobs paid only $4 for a 10-hour day, but there was no noticeable increase in the crime rate.

economic factors, just as the lower crime rates of Jewish or Chinese "ghettoes" cannot be.

Tragedy of Relief

Acknowledging that economic factors have played a serious role in the causation of crime, Prof. Pitirim Sorokin provides a list of eight cautionary findings based on an encyclopedic survey of the available data:

> Several studies . . . have shown than an extraordinary increase of crime in the periods of social upheaval is due to other than purely economic conditions.
>
> Secondly, not everywhere nor always do the poor show a greater proportion of crime.
>
> Third, many poorer countries have less crime than the richer countries.
>
> Fourth, the improvement in the economic conditions of the population of the Western countries in the second half of the 19th Century, and at the beginning of the 20th, has not been followed by a decrease in crime.
>
> Fifth, among those who commit crimes against property there is always a considerable number of well-to-do people and, on the other hand, many of the poorest people do not commit such crimes.
>
> Sixth, it is an ascertained fact that, in the causation of crime and criminals, a great many non-economic factors play an important role.
>
> Seventh, practically all correlations between economic conditions and crime are far from being perfect, or even notably high.
>
> Eighth, there is only a relatively low coefficient of correlation found between crime and business conditions. . . .

If poverty does not cause crime, there is considerable evidence that welfarism does. The welfare orthodoxy of today is an institutionalized effort to reverse the old system of incentives to law-abiding behavior. It is an elaborate and highly successful attempt to remit penalties for non-performance, to level out the differences between the productive and the non-productive, to bestow comforts upon those who cannot or will not win them through effort.

The positive incentives in consequence no longer put a premium on effort and personal responsibility; the negative ones no longer punish sloth and improvidence.

That welfarism encourages idleness and immorality is attested by Juanita Kidd Stout, the first Negro woman to be elected as a judge in Pennsylvania. "The tragedy of relief," she says, "is that it takes away from people the drive to work. When a person is capable of earning only $45 a week, he may be all too willing to accept $45 from public assistance for doing nothing. I have the deepest sympathy for the good mother struggling to bring up her children on a welfare grant, and for the father who wants but cannot find work. But I deplore a system that regards the handing out of checks as its prime function, that subsidizes the lazy and immoral home with the taxpayer's dollar."

Judge Stout urges that welfare programs be revamped to make receiving a check contingent upon some effort at self-improvement. "I know as well as any social worker," she says, "that the deplorable homes in our urban centers are breeding and multiplying indolence, illegitimacy, disrespect for law. I know, too, that the collection of relief checks is becoming one of the big occupations in this country. I believe strongly that a moral atmosphere in the home should not be subsidized."

Examples of the sort mentioned by Judge Stout are apparent in almost all big city welfare systems. After investigating social conditions in Watts, Calif., in 1965, the McCone Commission discovered that it was far more profitable for some people to be unemployed than to work.

"A job at a minimum wage," the report noted, "pays about $220 per month, against which there would be transportation, clothes and other expenses. When the average AFDC [Aid for Dependent Children] family receives from $177 to $238 per month (depending on the welfare program), the financial incentive to find work may be either negative or nonexistent."

Riots on Welfare

The McCone Commission also found that welfare spending prior to the outbreak of the 1965 Watts riots had been ascending rapidly skyward. Whereas Los Angeles County's population had grown 13 per cent between 1960 and 1964, welfare spending for ADC rose by 73 per cent. As a survey in *Reader's Digest* notes, "in the very month of the rioting, in fact, welfare poured $2,977,306 in AFDC checks alone into the riot area, which comprises only 10 per cent of the county's population, but swallows 36 per cent of the AFDC money. . . . Thirty-seven per cent of the juveniles arrested in the Los Angeles riots were being supported by welfare, overwhelmingly provided by AFDC funds."

From New York to Los Angeles, welfare projects of every description have been attended by vice, kickbacks, outright theft, rampant immorality and violence. Federal public housing developments, which were supposed to reduce crime, have only become its breeding ground. Indeed, it is difficult to single out any program, from long-established ordinary Aid to Dependent Children programs to LBJ's "War on Poverty" which has not been so afflicted.

To say that poverty as such is not the cause of crime does not, of course, establish what *is* the cause. Many factors enter into the equation, and to discuss even one of them in any detail would require a separate essay. Current information suggests, however, that the chief impulses behind the present rise of crime are traceable to the same thinking, and the practice based on it, which attributes our ills to the hostility of the material environment.

Among those factors are the breakdown of moral values encouraged by relativist preachments in the academy, permissive upbringing in the home and school, consequent breakdown of the authority of the family, exaggerated leniency in the courts and the widespread belief that anyone who can get away with it is entitled to something for nothing.

Ironically, many of these factors are woven into the very welfare programs designed to alleviate poverty and eliminate crime. And many instances of present-day law-breaking have grown out of these programs, suggesting that welfarism, rather than curing crime, can often be the cause of it.

This was the scene in Kalamazoo, Mich., after rampaging Job Corpsmen left many stores in shambles during 1965 rioting.

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Continued from Page One

Supreme Court Strikes Down N.Y. Anti-Subversive Law

ernment should be overthrown by force or violence or other unlawful means; or who willfully and deliberately becomes a member of an organization that advocates such doctrine, is prima facie disqualified from teaching in its university? My answer in keeping with all of our cases up until today is 'Yes'!"

One of the most interesting facts about this court decision is that it is a total reversal of a 1952 Supreme Court decision which upheld New York's Feinberg law—the chief bone of contention in the 1967 decision—as constitutional. In the 1952 case, known in the legal field as the "Adler decision," the section of the Feinberg law which makes membership in the Communist party, or other subversive group, prima facie grounds for disqualification for public employment was examined and found constitutional.

According to today's court, however, the Adler case is no longer applicable. "Pertinent constitutional doctrines have since rejected the premise upon which that [*Adler*] conclusion rested," the majority said in its recent decision. Further on, the majority elaborates on this argument, declaring that the "major premise" of *Adler* "was that public employment, including academic employment, may be conditioned upon the surrender of constitutional right which could not be abridged by direct government action."

Now, the majority tells us, "constitutional doctrine which has emerged since that decision has rejected its major premise." In other words, the court is telling us membership in the Communist party, or any group which actively seeks to overthrow the government by force or violence, has, since 1951, become a dead issue and is no longer grounds for dismissal from a position of influence over the young, immature and undeveloped minds of school children.

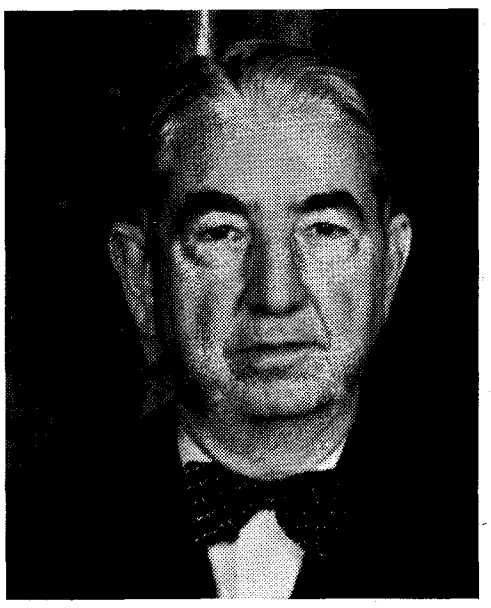
"A teacher works in a sensitive area in a schoolroom," wrote the late Justice Minton in the *Adler* majority opinion. "There he shapes the attitude of young minds toward the society in which they live. In this, the state has a vital concern. It must preserve the integrity of the schools. That the school authorities have the right and the duty to screen the officials, teachers and employes as to their fitness to maintain the integrity of the schools as a part of ordered society cannot be doubted."

But five men on the present Supreme Court are doubting exactly that; they are claiming that the ideas of Justice Minton and his fellows of the court of 1952 have—in only 15 years—become obsolete, just relics of a reactionary past.

Justice Clark in his dissent takes convincing exception to this contention. In 1958, he argues, the court delivered three decisions upholding the state's right to dismiss public employes who refuse to answer questions concerning their loyalty and "fitness to serve" and, in one of these, the same Justice Brennan who delivered the 1967 majority opinion cited with approval a court decision conferring on public employers the right to question employes "as to matters that may prove relevant to their fitness and suitability for the public service."

Clark goes on to cite court decisions in 1960, 1961 and as recently as 1964, which quoted *Adler* or a related decision with approval. "In view of this long list of decisions over 15 years of this court's history," Clark concludes, "in which no opinion of this court even questioned the validity of the *Adler* line of cases, it is strange to me that the court now finds that the 'constitutional doctrine which has emerged since . . . has rejected [*Adler's*] major premise.' With due respect, as I read them, our cases have done no such thing."

Other issues raised by the majority concerned the "vagueness" and administrative difficulties of the three laws, particularly Feinberg. As for the word "subversive"—a key "vague" term in



In his eloquent dissent, Associate Justice Tom Clark said the court had struck a sweeping blow at America's "right of self-preservation."

the court decision—the 1952 *Adler* decision found this "has a very definite meaning; namely, an organization that teaches and advocates the overthrow of government by force or violence." And despite the present court's protests to the contrary, the 1952 decision did consider the question of vagueness and found "no constitutional infirmity" in the Feinberg law.

On the subject of administrative procedure, the "intricate machinery" the majority speaks of, the law provides that "the school authorities in each school district [shall] take action to eliminate from the school system any teacher in whose case there is evidence that he is guilty of subversive activities." Following this "elimination," the teacher's case is carefully considered by higher school authorities and a full judicial review is provided the teacher in question.

While it might repulse some libertarians to have school bureaucrats dashing about listening to suspect teachers' every word, the machinery for enforcing these laws is nevertheless explicit and hardly "intricate."

The most telling argument, from a legal standpoint, put forth by Justice Clark in his dissent concerns what he terms the "purely abstract and entirely speculative" nature of the issues raised in this decision and the fact that most of the statutes struck down by the court majority did not even apply to the five appellant college professors.

The bulk of the majority's decision concerns the section of the law prohibiting the "utterance of any treasonable or seditious word or words or the doing of any treasonable or seditious act or acts." This wording is a part of the 1917 Education Law, was not included when this was updated in the Feinberg law of 1948, and is not and has not been applied to public school or college professors.

"How can the court pass upon this law *as applied,*" Justice Clark asks, "when the state has never attempted to and now renounces its application to appellants?"

In speaking of the alleged "vagueness" and "imprecise" language in the laws barring employment to anyone who talks or acts in a "treasonous, seditious, or subversive" manner, the court majority claimed "it would be a bold teacher who would not stay as far as possible from utterance or acts which might jeopardize his living" and this would stifle "that free play of the spirit which all teachers ought especially to cultivate and practice."

Ironically, with this decision the Supreme Court has put the states in exactly the same situation as their mythical teacher. As Justice Clark says of the majority, the "obscurity of their application to the question at hand makes it difficult to grasp the true thrust of its decision." That "true thrust" is that no state can now be sure that its laws preventing active subversives from teaching in its school system or holding similar vital positions will last for very long.

As with the recent reapportionmen decisions, liberals will now haul ever state with a subversive law akin to Nev York's up before the federal courts and judging by the broad sweep of this de cision, will succeed in having the law overturned. In practical terms, this de cision means the states will soon b totally without means of keeping acknow ledged, self-proclaimed subversives, in tent on teaching the doctrine of over throw of the government by force t young children, from teaching in publi schools.

Observing the sweep of the court ma jority's decision and its impact on Amer ica's youth and the "right of self-preser vation," Justice Clark sadly noted tha "neither New York nor the several state that have followed the teaching of *Adle* for some 15 years can ever put the piece together again."

"No court," he concludes, "has eve reached out so far to destroy so muc with so little."

Continued from Page 6

Behind Reagan-Kerr Controversy

In August 1954, noted the subcommittee, Chancellor Kerr appointed as one of his personal representatives in grievance procedures on non-academic employes a man who not only taught courses in the Communist School of San Francisco in World War II, "but was actually directing one of the programs of the school. . . ." Others with Communist pasts were elevated in the university directly as a result of Kerr. The subcommittee also detailed the radical background of those who became associated with the Institute of Industrial Relations while Kerr headed it.

Kerr continued his accommodation with the Communists while president. In April 1963 he rescinded the campus ban on Communist speakers, after agitation by the pro-Communist W.E.B. Du-Bois Clubs. (He later accepted the Alexander Meiklejohn Award for this action from the American Association of University Professors. The late Mr. Meiklejohn, an outspoken advocate of "civil liberties," was honorary chairman of a cited Communist front, the National Committee to Abolish the House Un-American Activities Committee.)

When the Communists and the beatniks began their wild demonstrations at Berkeley in 1964, President Kerr refused to penalize the students. Former Chancellor Edward Strong in a secret report published in 1965 denounced Kerr for giving amnesty, so far as the university was concerned, to students who hemmed in a campus police car for 32 hours on October 1 and 2 and also those who triggered the massive sit-in of Sproul Hall two months later.

"The example disgraces the university," Strong said of the failure to discipline those involved in the mass arrest. Strong said he suspended eight students after the October trouble and that Kerr said he would not rescind the suspensions, but later did so. The "second major capitulation," said Strong, "came on December 7 when Kerr said the university would not discipline those involved in the Sproul Hall sit-in.

"How long and how far is this retreat to go on?" complained Strong.

Kerr's supporters say his dismissa has finally involved the university i politics. Yet neither Kerr nor his sup porters have minded grinding out anti Reagan propaganda; moreover, the uni versity sent out Democratic students dur ing the November election to comba Reagan's criticism of events at Berkeley During the spring of 1966, furthermore faculty activists converged around th candidacy of pro-Castro Robert Schee in the Democratic primary.

Kerr's supporters now insist that Kerr' dismissal will mean a loss of prestige money and faculty. Yet professor Lewi Feuer, a former professor at Berkeley with impeccable liberal credentials, wrote a devastating article refuting this in th September issue of the *Atlantic Monthly* (see *Human Events,* Sept. 17, 1966)

Not only was Berkeley becoming a haven for Communists and other assorted radicals, charged Feuer, but it was becoming a haven for thieves and criminals. Furthermore, the "New Left" was employing Nazi storm trooper tactics in disrupting classes and preventing others from having their say, Feuer declared.

While the educationists and others are screaming to high heaven that the Kerr firing could trigger a sudden flight of top-notch faculty and students, Feuer wrote in September that the exodus wa already occurring precisely because, under Kerr, the university refused to discipline anybody.

"Several of the leading moderates and liberals," said Feuer, "have resigned from the University at Berkeley—most notably Seymour Lipset, director of the Institute for International Studies, Dwight Waldo, director of the Institute for Government Studies, and Paul Seabury, a former national officer of Americans for Democratic Action. According to a study in progress, the number of tenured professors leaving Berkeley has trebeled during this time of troubles, with more than 30 resigning this year."

Such was the way things were being run by that "exceptional administrator," Dr. Clark C. Kerr. And that is why the regents decided to can him.

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Changing the Electoral College

Before rushing direct election of the President into law, Congress should look at district plan

By JAMES JACKSON KILPATRICK

Jacob Burckhardt, the great 19th Century Swiss historian, long ago forecast the process by which the freedom of man would be engulfed in the supremacy of the state. Old safeguards would be swept away, he prophesied, by "terrible simplifiers" who would impress the people with catchwords and easy slogans. De Tocqueville, and before him, Burke, ventured the same warnings.

The prophecies return to mind as one reads the report of the American Bar Association's Commission on Electoral College Reform. The commission recommends that the present system of choosing a President be scrapped altogether in favor of direct popular election. Indiana's Sen. Birch Bayh, chairman of the judiciary subcommittee on constitutional amendments, already has introduced a resolution that embodies the ABA commission's proposal. Fourteen co-sponsors have joined him.

Thus the terrible simplifiers appear in force. In the view of the ABA commission, the present method of electing a President is "archaic, undemocratic, complex, ambiguous, indirect and dangerous." It is out of tune with "the prevailing philosophy of one person, one vote." These defects could be easily remedied by adopting a new system of direct, nationwide popular vote. In the commission's view, this is "the best of all possible methods."

Now, it is possible for a critic of the present system to agree with most of the commission's harsh indictment, and still to disagree with its recommended program of reform.

The electoral college, as it now operates, ought indeed to be abolished. But the greatest defect in the present system is not in the naming of the surrogate electors; the greatest defect lies in the system of "winner take all," by which a state's entire electoral vote goes to the candidate who wins a majority of the popular vote.

The effect of this system, as the ABA commission rightly observes, is that millions of popular votes are simply nullified. In 1932 Herbert Hoover received more than 15.7 million popular votes, but 13.6 million of them were not reflected in any electoral vote for him.

Barry Goldwater, in 1964, polled 2,259,000 votes in New York—about 30 per cent of the total—but all of New York's 43 electoral votes went to Johnson in one massive bloc. The same thing was true in California, where 2,812,000 popular votes for Goldwater gained the senator nothing. In every presidential election, in every state, the losing candidate suffers in this fashion.

This patent unfairness could be corrected, just as the ABA group says, by shifting to a plan of direct popular election. Yet the American people, before they embrace such a simple, democratic solution, should understand clearly what it involves. The plan would strike a stunning blow at the whole grand design of American federalism. Our basic scheme of government would be altered not at the edges, but at the heart.

Under the existing arrangement all persons born or naturalized in the United States are citizens not only of the United States but also "of the state wherein they reside." This state citizenship has meaning. Whenever we act politically, we act through the machinery of our states. This is the very essence of the federal system, devised by the wisest men who ever lived in this land, as a check and a balance against the evils of excessive centralism.

Under the plan advanced by the ABA commission the Congress necessarily would have to fix national qualifications for the franchise. There would have to be one uniform age and residence requirement. The states would function only ministerially. With the basic federal pattern thus altered, it would be only a matter of time before other barriers to centralism would topple to the assaults of the simplifiers. A constitutional structure that has served us well would be dismantled in the illusory name of "one man, one vote."

There is a better way. Almost every advantage that is claimed for a plan of direct, popular election can be attained through the "district plan" or the "proportional plan." Under either of these alternatives the federal pattern would be maintained. The valuable concept of state citizenship would not be abandoned.

The district plan would give a presidential candidate one electoral vote for each congressional district he carries, plus two for every state he carries; the proportional plan would divide each state's electoral vote in terms of the popular vote for each candidate. Either approach would eliminate the worst of the vices inherent in the system of "winner take all."

Twice within the past 16 years the Senate has decisively rejected resolutions proposing the popular election of Presidents. Such resolutions were defeated 63-28 in 1950 and 69-13 in 1956. Times and attitudes change; new Jacobins emerge. Doubtless Sen. Bayh's resolution, if it ever reaches the floor, would make a better showing. But conservatives will continue to hope that any plan of electoral reform that is finally submitted to the states will be intended to preserve the house of our fathers, and not to tear it down.

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Baez vs. Capp

Is Joanie Phoanie?

By JIM WRIGHT in the Dallas *Morning News*

Who shall protest the protesters?

Al shall. In fact, as readers of the comics know, cartoonist Al Capp has been satirizing the protesters like all get-out in recent episodes of his Li'l Abner comic strip.

Now one of the advocates of free speech (Berkeley style) is trying to shut the cartoonist up. Folksinger Joan Baez told reporters in Honolulu that she believes the Capp character "Joanie Phoanie" is a caricature of herself and a "stupid, vulgar satire" of the entire protest movement. She demanded that Joanie be withdrawn from Dogpatch.

The way the Honolulu reporters heard it, she threatened to sue if she did not get a retraction. Later, in Tokyo, Miss Baez apparently changed either her mind or her quotes and denied she intended to sue if Capp did not give in to her demand.

This was probably a good move for the movement's sake, considering the views of her fellow protesters.

A threat to use the courts to gag a cartoonist must have caused quite a stir among Miss Baez' fans. She has been very big in civil-disobedience circles, starring in many of the better demonstrations. One would think it would be more fitting for Miss Baez to march on Mr. Capp, rather than resort to the old-fashioned process of litigation.

At any rate, the cartoonist doesn't seem to be too worried. He said there are lots of folksingers named Joan but none of them, so far as he knows, is "six feet high with white-blonde hair."

Furthermore, if Miss Baez can prove that the phony Joanie resembles herself, said Capp, "I feel sorry for her. Joanie Phoanie is a repulsive, egomaniacal, un-American, non-taxpaying horror.'

Tact is not Mr. Capp's strong point. In fact, for years he has hurled sharp barbs of satire on America's comic pages to the dismay of his targets and delight of his readers. In earlier years his barbs landed mostly in conservative hides. Many a businessman has chuckled ruefully at the diabolical doings of Capp's hard-charging executive, General Bullmoose. And Southern senators have probably seen more than they want to see of Dogpatch's rascal of a public servant, Sen. Jack S. Phogbound.

As Mr. Capp pointed out in a television interview, several years ago he looked over on the other side of the fence and discovered a number of liberal pomposities that made even more inviting targets.

One of these that has drawn his close attention in past months is the "New Left." The "New Left's" strident demands for free expression and dissent—so long as only the "New Left" is doing the expressing and dissenting—have been shown up by the Li'l Abner gang in convincing and hilarious fashion.

"I know these protest types," he commented. "They go around singing that our President is a murderer and our soldiers are rapists and looters. But just let someone call them fakes."

Since Al Capp has spent a lifetime pinking stuffed shirts, it was perhaps inevitable that he would get around to those who put a "reserved" sign on freedom while claiming to fight for it.

Speaking of these, he observed that they "think they own the right to protest exclusively."

"I think," he said, "people who go into the protest business should be given a plaque with Harry S Truman's . . . famous quote: 'If you can't stand the heat, get the hell out of the kitchen.' "

The dispute between the protester and the protest protester should provide quite a bit of heat itself. In fact, Miss Baez' efforts to blot Mr. Capp's drawing board may prove, once and for all, whether the pen is mightier than the guitar.

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Lesson of Powell Case

You Must Abide by the Rules

By MORRIE RYSKIND

Thus a letter from a young Negro college student on a recent column: "Well, here you are again, with your racist justice, kicking a black man when he's down. I take it you'd like to be in Congress so you could vote to take Adam Clayton Powell's seat away and turn it over to an Uncle Tom."

For balm, I turn to a note from a colored lady who agreed with me on an older piece dealing with the excesses of CORE and SNCC: "Surely you don't believe the so-called Negro leadership speaks for us. What Mr. and Mrs. Average Negro American want are equal opportunities in jobs, education and voting rights. And when one of us steps out of line, we want him punished, too."

Which only proves what I have long contended: that people are individuals and refuse to be herded into a monolith. The NAACP does not represent 20 million Negroes, nor the Anti-Defamation League 10 million Jews, nor the National Council of Churches 40 million Protestants. When those organizations speak, they voice only the majority opinion of the handful that make up their executive boards. Even Mao, it now appears, doesn't speak for all of Red China.

But I would remind the college student that this is the first time in 22 years that Adam Powell has been down. And that in all the previous times I have jabbed at him, Adam has been up—away up.

I think it incontestable that the House was right in voting to strip Powell of the chairmanship of his important committee and barring him, pending further investigation of his conduct, from his seat. Not because of his private peccadilloes—which are outside my jurisdiction—but because they were apparently carried on at public expense. Thereupon they become every taxpayer's concern, and we are entitled to a public airing of the expense accounts involved.

Nevertheless, I would vote to let him retain his seat. Certainly not because of the threats of Negro leaders all the way from A. Philip Randolph and Roy Wilkins down to the likes of Stokely Carmichael that to vote otherwise is to be marked for political extinction and could possibly bring on a third party, not to say—as some have—a Negro revolution. If America has fallen so low, it deserves oblivion anyhow.

No, I would vote for the retention of Powell in his seat because it is crystal-clear that, whatever his derelictions, he remains the overwhelming choice of his constituency. And in a republic—so I believe—each section thereof is entitled to be represented by the man its electorate chooses. Whether he be rogue or saint, that verdict must be honored. Anything else is to open a Pandora's box that would allow a temporary majority to subvert the Constitution by denying an unpopular legislator his rightful seat.

It is for that same reason that, though I abhor the expressed views of Julian Bond, I welcome the decision that finally allows him to sit in the Georgia Legislature. I wish his district hadn't voted for him, but it did, and that closes the argument in my book.

Georgia offers another instance where my heart bowed reluctantly to my philosophy. I was, it is no secret, a strong rooter for Bo Callaway in that state's gubernatorial race. Yet, because I believe firmly in states' rights and resent the recent fiats by which the courts have unconstitutionally encroached on them, I found myself hoping that Georgia's laws would be respected and the election thrown into the legislature as provided by Georgia's statutes, even though I realized that would probably mean Bo's defeat.

Providentially, I faced no such inner conflict in my own state. But had Communist Dorothy Healey, who polled an amazing 86,000 votes in last summer's Los Angeles County primary, won the office she sought, I fear I would have fought any attempt to unseat her. For you either abide by the rules or you don't make any.

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Local Hospital Rejected

Medicare No Blessing to Citizens of Callaway, Nebraska

The citizens of the pint-sized Nebraska plains community of Callaway are not notorious publicity-seekers, but last fall this hamlet of 600 Midwestern souls found itself the focus of nationwide attention.

Callaway's noteworthy story, which was given thorough attention on a Huntley-Brinkley newscast in early November, is that it is one of the first communities in the United States to know first-hand the full inequities and failings of Medicare.

Although the Medicare program is only slightly more than two years old, it has already managed to cause untold difficulties and wreak havoc with the American system of medical treatment—doctors are overworked, nurses are striking, patients are disillusioned and hospitals are bursting at the seams with unnecessary guests. The shortcomings of Medicare are felt in the big cities and in small towns such as Callaway.

Before Medicare, Callaway's residents had taken great pride in their 15-year-old hospital and the 44-year-old doctor who ran it. The hospital is a smart-looking red brick structure with beds for 12 patients and accommodations for six babies; across the street from the hospital is the doctor's office, fully equipped with the latest in X-ray, diagnostic and other equipment.

The gentleman who serves as Callaway's general practitioner and major domo of the medical facilities is Dr. Mike Chaloupka, a one-time football standout at the University of Nebraska who learned the ropes of the medical biz as an Air Force flight surgeon. In 1948 "Dr. Mike" came to Callaway for what he thought was a temporary stop on his way to realizing his ambition of being a specialist in some big city; but he stayed, developing his practice, building the hospital in 1951, and earning himself the reputation as one of the town's most beloved residents.

Because of its well-endowed medical facilities and devoted doctor, Callaway thought itself pretty well situated. But the federal government decided otherwise: Last June it ruled the Callaway hospital did not meet federal requirements to be approved for treatment of Medicare patients. "Your hospital," said the letter from the Medicare Division of the Nebraska Department of Health, "was found not to be in substantial compliance with certain statutory Medicare requirements for certification."

Specifically, the two nurses who inspected the hospital for the state's health department found Callaway's facility deficient because it did not have 24-hour nursing service, had no drug room with a full-time pharmacist, contained no "well-organized" laboratory, practiced substandard X-ray procedures, provided no medical library and had no "utilization review plan."

Under the letter of the Medicare law, each of these criticisms was justified, but this law was written with big city hospitals—with staffs of thousands—in mind, not small town, 12-bed facilities in the middle of Nebraska.

"I think Medicare is a typical example of poor legislation," says Dr. Mike. "Congressmen were thinking only of big cities where the votes are. They did not take into consideration the needs of small towns in the big open spaces. They forgot the general practitioner who must do everything in serving a large area."

In rebutting what he terms the "biased" investigation by the two nurses, Dr. Chaloupka points out that his hospital does have one registered nurse during the day, and that there are four others in the community who can come to the hospital in minutes; as for conditions in the drug department, he claims all drugs are properly administered and kept locked up and asks "How could a 12-bed hospital have a pharmacist?," pointing out that the hospital relies upon the town's pharmacist. While the hospital may not have a laboratory, X-ray facilities or medical library on the premises, Dr. Mike counters that all three of these provisions are to be found 100 feet from the hospital in his office, "and I guarantee you my patients are a heckuva lot closer to the X-ray and laboratory a hundred feet away than they are in most of those big, umpteen-story hospitals in Lincoln and Omaha."

OMAHA EVENING WORLD-HERALD

Dr. Mike Chaloupka stands in front of his hospital in Callaway, Neb. Medicare officials claimed his hospital was inadequately equipped, but they used big-city standards.

As for a board of directors to advise him on utilization of the hospital, Dr. Mike replies, "I'm the only doctor, I know all my patients personally and darn well know if they should be in or out. I don't need a board to tell them."

The upshot of this failure in getting Medicare accreditation is that Callaway's elder citizens, who have been paying into Social Security and are entitled to Medicare treatment, must now go somewhere else—to a strange hospital and new doctor—to receive this treatment. "These elderly people," says Dr. Chaloupka, "must leave their home area, friends, relatives and doctor and go elsewhere. They are really being discriminated against; they have had no choice, no voice, no vote as to their own medical destiny. Those that are able to pay will stay; those that cannot will be forced against their will to go elsewhere."

"This is what we object to," he continues, "not whether our hospital passed or failed, but the plain fact that we are being forced by governmental legislation and unfair, poor legislation at that, to do something that is unfair to all concerned."

The Huntley-Brinkley crews have come and gone, numerous letters have been written to state and national officials in an attempt to change the Callaway hospital's status, but to no avail. Because of the whims of legislation written with only the big cities in mind, the elderly citizens of Callaway, Neb., must leave their personal doctor and travel miles if they wish to participate in Medicare.

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MINE, MILL MERGER—The Mine, Mill and Smelter Workers Union, bounced from the CIO in 1950 as Communist-dominated, is merging with the giant United Steelworkers of America, AFL-CIO. Officials of the Red-tinged union will become international representatives for the Steelworkers. As late as 1964 the Senate Internal Security subcommittee warned that Mine, Mill leaders were a "menace to this country's internal security."

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Does 'Food for Peace' Retard India's Progress?

Corrupt politicians and socialism flourish because of massive U.S. wheat shipments

Tankers laden with U.S. grain are again making their way to India. During 1966 nine million tons of wheat—one fourth of America's entire crop—were dispatched by Washington to Indira Gandhi's Socialist "paradise." Within the next six weeks another 900,000 tons will be unloaded on the wharves of Calcutta and other Indian ports.

The latest shipments are designed to meet a heavily publicized "famine" that will, say foreign aid officials, take as many as two million lives if the United States does not act. But the facts are clear that the Indian troubles are of Indian making and that there is little necessity for massive U.S. aid.

No one denies that the northeast section of India has been badly wracked by drought and that millions are going hungry. Little reported, however, is the fact that India's southern states have been blessed with bumper crops, and boast surpluses more than enough to feed the stricken areas.

But the rulers of the grain-rich south have refused absolutely to aid their famished brothers. The central government has taken a "hands-off" attitude, not wishing to antagonize voters in the south with national elections only a month away. As a bitter American notes in New Delhi:

"They still think it's easier to ship grain from the United States than from neighboring parts of India."

Even in the north corrupt politicos are contributing to the famine. "In the capital of hard-hit Bihar, politicians [are] busy wheeling and dealing in preparation for the elections," *Newsweek* reported recently. "And it [is] an open secret that funds set aside for famine relief are being channeled into the pockets of those best able to mobilize votes."

When reports of deaths began to mount, Bihar officials indignantly denied they were due to starvation, ascribing them instead to "fever." "How can anyone die of starvation in a welfare state?" demanded a local bureaucrat. Added another cynically: "Starvation in India is nothing new. Why make such a fuss about it?"

Quite obviously, the United States is more concerned than India. Not one of India's fabulously wealthy religious institutions has offered even a rupee to the hungry. And when an independent member of Parliament recently appealed for aid as head of a central relief committee, his response was less than overwhelming: 125 rupees ($16), five kilograms of rice, some old clothes and a box of biscuits.

More than $6 billion in U.S. foreign aid has failed to win India to the West. Mrs. Gandhi's "neutralist" government consistently opposes the United States in the United Nations. American experts who seek to help the Indians are branded by New Delhi as "brainwashers" and meddlers. U.S. aid programs are described as a devious plot "to get Central Intelligence Agency spies into the country."

Massive "Food for Peace" shipments have actually retarded progress in Indian agriculture. As outgoing foreign aid administrator David Bell admitted last year, by providing India and other "underdeveloped" countries with huge shipments of food, the United States has "dampened their enthusiasm for developing their own agricultural resources."

Economist N. R. Danielian, who has spent considerable time in India, maintains that the Ganges River Basin should be one of the world's richest food growing areas, comparable to the Mississippi Valley. Yet Indian rice production per acre is only half that estimated for Red China, and a quarter that of Japan. The per acre grain yield has increased only 3 per cent in the 20th Century. The reason, says Dr. Danielian, is simple:

"India's ruling Congress party and its entrenched bureaucracy have permitted agricultural productivity to stagnate while they diverted their nation's resources—and ours, too—to build a Socialist state dominated by government-owned industries. At the same time, private business is retarded by punitive taxation, price fixing and super-regulation."

India's government-controlled fertilizer plants have been able to provide Indian farmers with only three pounds of fertilizer an acre—as compared with 21 pounds in Russia, 59 in the United States, and 271 in Japan. Until recently, however, the Gandhi government refused to permit privately owned firms to aid in the production of fertilizer.

"There are many situations of this kind which have prevented private investors, both Indian and foreign, from making their contribution." Danielian says: "Whereas foreign governments are 'lending' India $1.3 billion a year, private investment in India from all over the world has been in the neighborhood of only $60 to $70 million a year."

Nelson C. White, president of the Chicago-based International Minerals and Chemicals Corp., told a House committee last year just how India's Socialist planners were running the economy. It had taken White's firm more than six years to build an Indian factory that could be constructed in this country in 18 months.

Of the $700 million worth of grain shipped to India during the past year, little more than $500 million was actually distributed to the hungry. Fully 25 per cent of the U.S. grain is annually eaten by India's rats, who are revered as religious figures and cannot be killed.

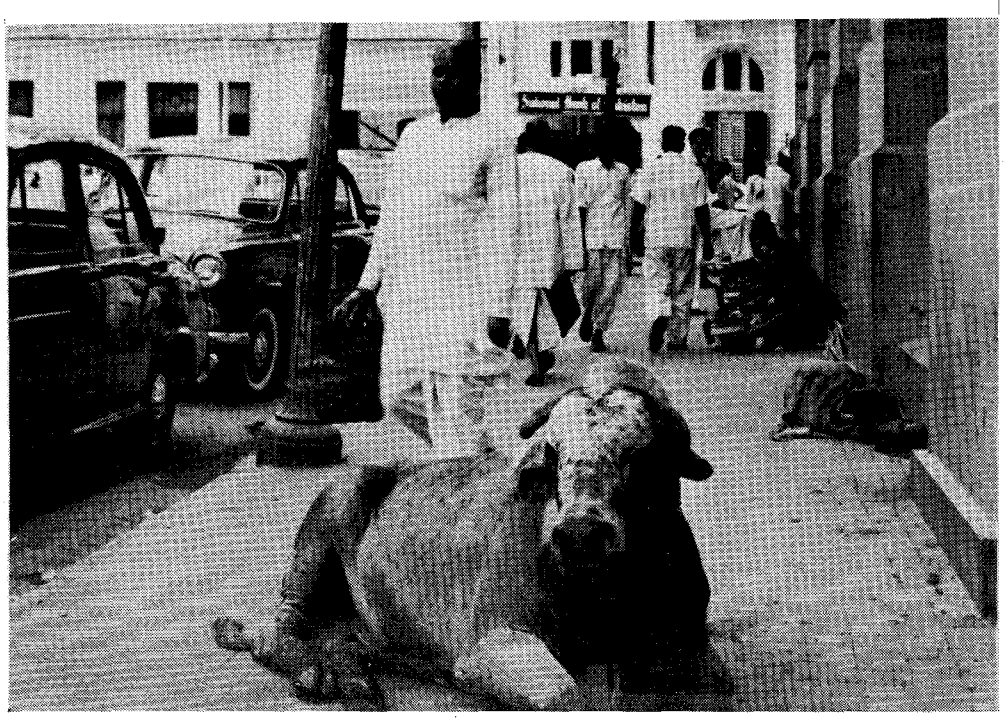
The rats outnumber people 5 to 1 and are a major cause for India's famine. Peace Corps volunteers in one Rajasthan hamlet got into trouble with villagers when they poisoned some of the rodents who had overrun their small apartment. The villagers themselves normally caught the rats, took them out into the countryside and released them.

Hindu doctrine also prohibits killing of the 200 million cows that wander across India's fields, lie in her streets and rummage hungrily among piles of food in the bazaars. The Hindus feel that a cow may be somebody's ancestor or friend returned from death in another form, a belief that quite literally has resulted in the deaths of millions.

As Sen. Allen Ellender (D.-La.), chairman of the Senate Agriculture Committee, has noted, the food consumed by the Hindus' sacred animals has meant, for the Indian people, "the difference between a reasonable diet and starvation."

Ellender has warned the Gandhi government that positive steps must be taken to limit the Indian population, currently growing by 12 million a year. Unless the birth rate is slowed, Ellender says bluntly, there is "no hope" for India.

But the Indian government has largely ignored its population crisis. A program to persuade India's illiterate peasant women to observe the rhythm method of birth control was completely unsuccessful. As an Indian reporter explained recently: "The colored beads that the government distributed to the peasants for keeping track of the days—green for 'go' and red for 'stop'—failed for the astonishing reason that many women never looked at them until the lights were out, and then the colors were indistinguishable."



India's sacred cows like this one relaxing on a Calcutta sidewalk indirectly contribute to that country's food shortage.

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SOVIET "MELLOWING," CONT'D. —How much is the Soviet Union "mellowing"? Diplomatic sources reported recently that the Kremlin will double its assistance to North Viet Nam this year with increased supplies of planes, rockets and radar installations. The sources also said that the Eastern European satellites are to increase their military and economic aid to Hanoi.

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DON'T BE SURPRISED if Bobby Baker is acquitted at the end of his three-month trial. The bet is that the jury will be locked up longer than he is.

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Some of My Best Friends Are Education Professors

By DR. MAX RAFFERTY, California Superintendent of Public Instruction

To coin a phrase, some of my best friends are professors of education. Grand, wise, friendly fellows they are, too.

Unfortunately, a few of their colleagues suffer distressingly from acute running-off-at-the-mouth. For instance:

A certain Prof. Arthur Pearl from Oregon barged clankingly into my state the other day and sounded off to the effect that education is really the cause of most of our current woes.

"The schools are the most destructive, humiliating agency of our times," the professor trumpeted temperately about his own profession, and then he went on to accuse his fellow teachers across the land of refusing to educate the poor and of discriminating callously against certain students by grouping them according to ability.

Now hold on, professor.

Public schools were set up originally to educate the children of the poor. Remember? The rich couldn't have cared less, if only because their offspring usually ended up in private schools. Things haven't changed much.

Every teacher I've known leaned way, way over backward to give all his students a square deal. Teachers rarely know or care how much Johnny's dad raked in last payday or whether Johnny's mother goes to bridge parties or takes in laundry. I know I never did. Some teachers may indeed and often unconsciously practice intellectual snobbery; darned few are economic snobs.

And I reject entirely Dr. Pearl's snide remarks about ability grouping. Oh, it can be carried to extremes like everything else in this world, including the speeches of education professors when they are allowed to stray off the reservation. Gifted youngsters, for example, shouldn't be permitted to associate only with their own kind in school lest they grow up believing the typical American IQ to be around 140, a notion which might eventually place them somewhat out of touch with reality.

But the purpose of ability grouping is to help children, not to hurt them. To compel a brainy kid to dogtrot agonizingly through school so that his less able classmates won't be left behind when he breaks into his magnificent mental gallop is just as jug-headed as to put some poor retarded youth into a solid geometry honors class so that he will be treated exactly like everybody else.

Democracy doesn't mean treating everybody alike. It means giving everybody an even break. And education is about the only way the underprivileged pupil can be given that break—by supplying him with the tools he needs to develop his own potential to its absolute maximum.

Each child, fortunately, is different, and the tools he needs to achieve his potential are different, too. The day we teachers start ignoring sound instructional theory and start lumping everyone together in the name of Prof. Pearl's pet version of *1984* will be the day we'd better go out of business altogether and turn the kids over to UNIVAC.

A public school is a great intellectual cafeteria. The food is out where everyone can see it and sample it. And it's all free. But just as a cafeteria cannot implant hunger in its customers, neither can a school. There's a limit to what the school can do for Johnny. Some things Johnny has to do for himself, whether he's rich or poor, smart or stupid.

But any man who poses as an educator and who says the schools are the most destructive and humiliating agency of our times is as wildly wrong and as essentially self-stultifying as a minister of the gospel who prostitutes his profession by bellowing that God is dead.

Upon the belt of education hang all the keys to the future, especially for the poor and the handicapped. The schools are fighting grimly and almost alone to whittle down the piled-up evils of a sick society and to give a gleam of hope to those long hopeless. The rest of America should be as concerned as teachers are. And that'll be the day!

It's through the gentle, permeating influence of education, after all, professor, that the poor become productive and the ignorant informed. It's always been this way. It always will be.

(Copyright 1967, Los Angeles *Times*)

Liberals vs. Conservatives

Eight to Two on ETV

From the Omaha *Evening World-Herald*

The night of January 10, the National Educational Television network spread its feathers with the pride of commercial television's peacock, and broadcast live the President's State of the Union message.

It was a "first" for NET in linking its stations coast to coast for live viewing of a public event. Though it may have seemed strange to some that the educational stations were telecasting a program the three commercial networks were carrying also, NET offered something fore and aft—mostly aft.

The two hours of commentary by 10 observers and a moderator, plus seven or eight minutes of the Dirksen-Ford press conference, were fascinating in content and balance.

We thought that nine of the 10 commentators handled themselves and their remarks either adequately or well.

The exception was Prof. Arthur M. Schlesinger Jr., who emerged as a compulsive talker. Regrettably, Mr. Schlesinger gave no evidence of being a compulsive thinker. He used more time than the others, labored his points, "lost his cool," directed *ad hominem* irrelevancies at James J. Kilpatrick, and otherwise comported himself as a man out of place in informative give-and-take discourse.

Four men especially impressive were Dr. Kenneth Clark, New York educator, Mayor J. P. Cavanagh of Detroit, columnist Kilpatrick and economist Milton Friedman.

George Kennan's comments on foreign affairs sounded like the voice of yesterday, and George Ball's arguments for trade with Communist nations teemed with zeal. Boston's Daniel Moynihan was lofty but restrained. Economist Walter Heller was almost alone in saying good things about the message. Clinton Rossiter at times seemed to regard the whole proceedings as a small, chuckly joke, and we wish he had been right.

The consensus was that the President's speech didn't amount to much, and we heartily agree with the consensus.

What concerns us more than a little, however, is the educational network's attitude that it was presenting a fair and balanced program when, in fact, it was doing no such thing.

The lineup showed eight men of liberal persuasion and two conservatives. The imbalance was quickly apparent once the comment began. No matter how fairly the moderator apportioned the time among the 10 speakers, it was as if a basketball team with eight members were facing an opponent with two.

Five men who ordinarily have one foot left of center and five who face toward conservatism would have been the reasonable way of conducting what amounted to a debate and which could have been foreseen as developing into debate.

What concerns us most, however, is the sad conclusion that the proud lads of educational television thought they *were* being fair; that eight-to-two odds, with a Kilpatrick and a Friedman speaking for conservatism, were exactly right and that an eight-minute cut-in on the half-hour Dirksen-Ford rebuttal to the President was likewise fair, if not generous.

We think such programming was wrong. We think it was appalling. If, as some say, commercial television is about to phase out of political campaigning, with its shared-time problems, and if NET is to assume a larger share of political and public affairs broadcasting, it will be necessary to lay down rules far different than those in effect that night. The country should be acting on such rules now, before the pattern is set.

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SPOTLIGHT ON CONGRESS

LBJ's Fiscal Folly

By REP. GENE SNYDER (R.-Ky.)

I was very disappointed to find the President asking for a tax increase while saying nothing about a reduction in non-defense spending. A balanced budget should be our goal and this can be accomplished without a tax increase. Enough can be cut from foreign aid and waste in the domestic area to accomplish a balanced budget without affecting our effort in Viet Nam. Generally speaking, money held in the private sector produces an end product—thus progress in the economy. Generally speaking, money spent by government is used to produce services which are not fixed assets and lend themselves less to advancement of the economy. This is the substance of the testimony of Dr. Arthur Burns, noted economist who was one of President Eisenhower's economic advisors, when he testified before Congress last year. The President, while asking for the tax increase, indicates that he anticipates a huge budget deficit for two more years. Thus, basically he intends to continue his irresponsible fiscal policy if Congress will permit. It is my hope that enough of the majority party will see the "fiscal folly" of this Administration and join with the Republicans to try to work toward a balanced budget by non-defense spending reductions instead of a tax increase.

Building the Cities

By SEN. GEORGE MURPHY (R.-Calif.)

We should never lose sight of the fact that initially private enterprise built the great cities that dot our land. Nor should we lose sight of the fact that the government programs to rescue and rebuild our cities for the most part have failed. Private citizens and private enterprise, which built the cities in the first place, should be called upon to repair the cities' ills today.

To Win the War

By SEN. MILTON YOUNG (R.-N.D.)

Casualty figures for the Viet Nam war already exceed 35,000 and it would be impossible for anyone even to estimate what the total will be. We can, however, estimate with some degree of accuracy the money cost of the war. When all of our present commitments are met the minimum cost of the war will be at least $200 billion. Our commitments of money and men in Southeast Asia are so great at the present time that we could not undertake another major conventional war. I was very outspoken in my opposition to our involvement in this or any other land war in Asia. The jungle area presents greater disadvantages to our troops than any place on earth. Regardless of how we got into this war, however, there is no easy way to walk away from it. We are going to have to fight and fight to win, or until we can secure an honorable and satisfactory peaceful solution. Greater use of our air and naval power would be effective in bringing about an earlier victory. There are additional military targets in North Viet Nam, such as Haiphong, that could and should be bombed. We should also consider bombing Viet Cong sanctuaries in Cambodia. An expanded naval blockade of the shipping of strategic military supplies into South Viet Nam should be undertaken. However, in the final analysis this war will have to be won on the ground and in the jungles of Viet Nam. Withdrawing from this war would present many problems. It is not just a matter of national pride. Right or wrong, we do have firm commitments to defend Thailand and other areas—commitments that, if broken, would greatly and adversely affect our dealings with all other nations of the world. The men of our armed services fighting this war are making as great a contribution to our national security as those who fought in any previous war. We never became a great nation by losing wars.

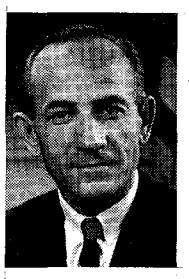
'State of Lyndon'

By REP. RICHARD POFF (R.-Va.)

The President's State of the Union message this year was significant not so much because it defined the State of the Union but because it illuminated the State of Lyndon. The State of Lyndon is somewhat different from two years ago. Gone from his speech was most of the bombast. The pointing with pride was held to an irreducible minimum. The viewing with alarm was not quite so partisan. The words were not as stilted. The promises were not as extravagant. The requests were more modest. The plans were a little more realistic. Not even the length of the speech (which was inordinate) or its scheduling (which was TV-transparent) obscured the new image which the President obviously now is trying to project. More than anyone else in the country, President Johnson knows that the rubber stamp is gone; that consensus will be a little more difficult; that Congress, at the mandate of the people, will begin to reassert its historical constitutional prerogatives as one of the three coordinate branches of government.

Hard Look Needed

By REP. JERRY PETTIS (R.-Calif.)



A creative, realistic trend is taking shape in the 90th Congress. If sensible, responsible men from both sides of the aisle resolve to work together for sound, constructive legislation, our government can consolidate its gains and pull itself out of a situation that has shaken both our national institutions and the faith of our people. I hope that the new Congress will take a long, hard look at all "Great Society" programs. I hope that it will return to the people, through their local governments, decisions and services that are best administered at the community or state level. If we respond to the present dilemma by "being agin" everything, we will go down in history as a "do-nothing" Congress and the people will do their duty and turn us out to pasture. On the other hand, resourceful, hard-working men can, by hammering out honest solutions, give a sense of direction to this dynamic but confused nation that will lead to solid progress.

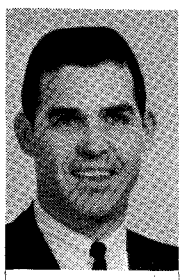
'Great Society' Bugs

By SEN. ALLEN ELLENDER (D.-La.)

The Senate has been asked by our majority leader to devote most of its time to looking back in an attempt to discover just how well or how poorly the sweeping measures approved by Congress in the last two or three years are working out in actual practice. This request has been made before, of course, and in most instances little good has come of it. We will have to wait and see how well the 90th Congress performs this function. It seems to me that a great deal of the so-called social legislation approved by the 88th and 89th Congresses should be studied thoroughly by the appropriate committees of the Senate and House. Many of these measures were enacted in haste, and no doubt contain many "bugs." Also, after taking a close look, it may become apparent that some provisions of these measures are not as badly needed by our citizens as originally thought.

Education Trust Fund

By REP. DONALD E. LUKENS (R.-Ohio)



The Republicans I talk with feel strongly that the American taxpayers, especially the hard-working, average thrifty taxpayers, have had enough punishment. Somebody has to start pleading the cause of the wage earners who are asked to pay through the nose for programs arbitrarily imposed on them from Washington. In addition, they've been hit by every kind of economic hardship. Most of them can't borrow the money to buy a home or put their children through college because government policies have made interest rates prohibitive. All of them have been hit in the pocketbook by higher prices in the supermarket, the shoe stores, the gasoline station, the department stores, etc. It doesn't matter how many food stores are picketed or how many price investigations are ordered by the Federal Trade Commission; the fact is that these higher prices were made in Washington by LBJ and the spending spree the 89th Congress "rubber stamped" for him.

A responsible Republican answer to the costly "made in Washington" programs calls for the federal government to share some of its tax revenues with the states. One phase of this approach, repeatedly proposed by Rep. William Brock (R.-Tenn.), would establish an "educational trust fund" through which a percentage of internal revenue and tariff schedule collections could be channeled for educational purposes. States would be able to draw upon this fund in proportion to the number of their students and the amount of "effort" they expend on public education. The plan is designed to make the best possible use of the taxpayers' money in the vital field of education. When Rep. Brock reopens his fight for this approach in the 90th Congress, I intend to join forces with him.

What Grain Surplus?

By REP. CATHERINE MAY (R.-Wash.)

The "old" days of not so many days ago, when grain surpluses choked U.S. storage warehouses are gone. Today, some concern is being expressed that we may find production insufficient to meet demand, even for ourselves. For many years farmers have felt that the government's rigid programs of production control have held them in virtual straitjackets. With the world food demand increasing faster than current programs are likely to produce, perhaps now is the time and the 90th Congress is the place for some imaginative changes in farm program philosophy. Expanded overseas markets should be developed, with a marketplace price structure attractive and fair to the American producer.

Anti-Missile Missile

By REP. DONALD RIEGLE (R.-Mich.)

It appears that the United States has fallen far behind the Soviet Union in anti-ballistic missile (ABM) defense. The Soviet is presently deploying an advanced anti-ballistic missile system. The sum of $431.4 million has been appropriated by the Congress for the development of a United States ABM system but, to date, the Administration has refused to spend this money. An immediate report should be made by the Defense Department to the Congress explaining why, in the face of the Russian ABM breakthrough, the Administration has failed to get this authorized program under way. Recent disclosures of Red Chinese advances in nuclear warhead development cast an increasingly ominous shadow on this ABM question. The unanswered question is whether the U.S. can afford an acknowledged ABM gap by relying on: (1) The assumption that the USSR will be a cooperative and peaceful adversary; (2) The assumption that Red China's violent overthrow attitude will mellow before its nuclear delivery capability is completed.

Senate Vote on Cloture

Following is the 53-to-46 rollcall vote by which the Senate on January 24 refused to invoke cloture on a motion to call up a motion to liberalize its anti-filibuster rule. Since a two-thirds vote was necessary to shut off debate, the motion failed by 13 votes.

FOR CLOTURE: 53

DEMOCRATS (36): Anderson, Bayh, Brewster, Burdick, Church, Clark, Dodd, Gore, Hart, Hartke, Jackson, Kennedy (Mass.), Kennedy (N.Y.), Long (Mo.), Magnuson, Mansfield, McCarthy, McGovern, McIntyre, Metcalf, Mondale, Montoya, Morse, Moss, Muskie, Nelson, Pastore, Pell, Proxmire, Randolph, Ribicoff, Symington, Tydings, Williams (N.J.), Yarborough and Young (Ohio).

REPUBLICANS (17): Aiken, Allott, Boggs, Brooke, Case, Cooper, Dominick, Fong, Griffin, Hatfield, Javits, Kuchel, Morton, Pearson, Percy, Scott and Smith.

AGAINST CLOTURE: 46

DEMOCRATS (27): Bartlett, Bible, Byrd (Va.), Byrd (W.Va.), Cannon, Eastland, Ellender, Ervin, Fulbright, Gruening, Hayden, Hill, Holland, Hollings, Inouye, Jordan (N.C.), Lausche, Long (La.), McClellan, McGee, Monroney, Russell, Smathers, Sparkman, Spong, Stennis and Talmadge.

REPUBLICANS (19): Baker, Bennett, Carlson, Cotton, Curtis, Dirksen, Fannin, Hansen, Hickenlooper, Hruska, Jordan (Idaho), Miller, Mundt, Murphy, Prouty, Thurmond, Tower, Williams (Del.) and Young (N.D.).

Not Voting: Harris (D).

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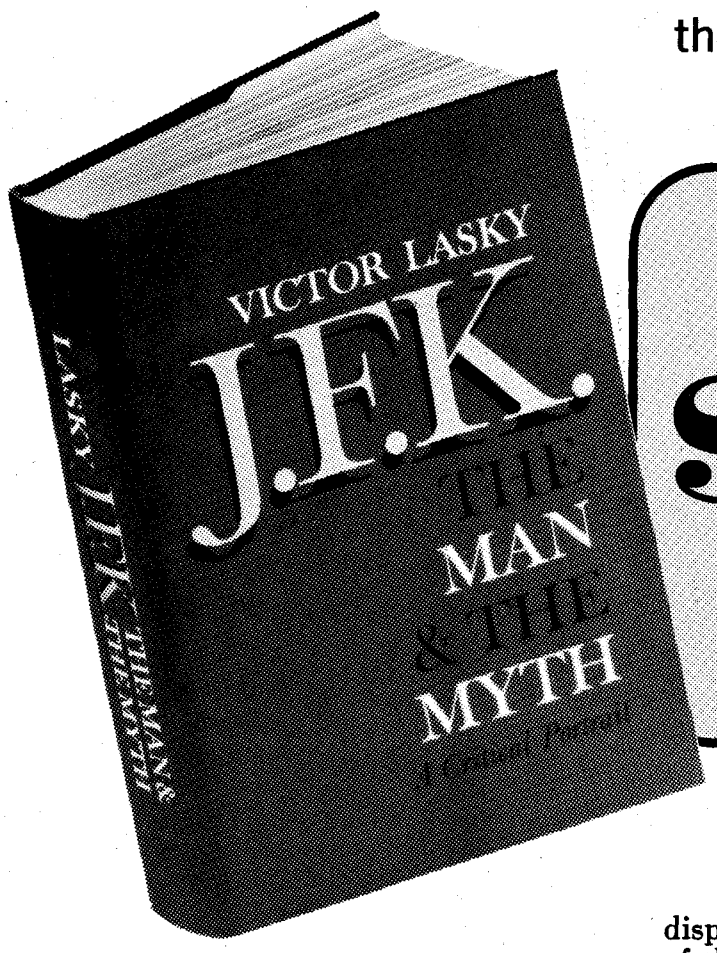

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